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United States Department of Agriculture,

BUREAU OF CHEMISTRY.

W. G. CAMPBELL, Acting Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 9651-9700.

[Approved by the Acting Secretary of Agriculture. Washington, D. C., December 29, 1921.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

9651. Misbranding of Antibrule. U. S. * * * v. 48 Sixteen-Ounce Bottles of * * * Antibrule. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11665. I. S. No. 8423-r. S. No. C-1598.)

On November 28, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 48 sixteen-ounce bottles of Antibrule, at Little Rock, Ark., alleging that the article had been shipped by H. W. Williams & Co., Fort Worth, Tex., July 2, 1919, and transported from the State of Texas into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained picric acid, picrates, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding the curative and therapeutic effects thereof, (bottle label) "Antibrule * * * Analgesic, Anodyne, Antiseptic, Antipyretic. * * * A Remedy for * * * Croup, Tonsilitis, Carbuncles, * * * Gonorrhoea, Leucorrhoea, Varicose Veins, Ulcers * * * Recommended for Eczema, Erysipelas, Nasal Catarrh and Itching piles," (booklet) " * * * hastens granulation with incredible rapidity, * * * Brilliant results have been obtained * * * in hopeless cases of Hay Fever, Nasal Catarrh, * * * and Syphilitic Ulcers, Gonorrhoea, * * * Eczema, and many other skin affections. * * * A Positive [Specific] For Croup, Sore Throat, Leucorrhoea, Eczema * * * Postular Cutaneous Diseases, * * * all inflammation of the mucous membranes, whether of traumatic,

idiopathic or specific origin, and all conditions requiring absolute [asepsis] * * * Stops Pains Instantly. No other preparation produces immediate analgesia, and nothing else promptly repairs the damaged tissues without scarring * * *," were false and misleading [fraudulent] since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On October 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9652. Misbranding of Cal-Sino hog restorative. U. S. * * * v. 15 Packages of Cal-Sino Hog Restorative. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11905. I. S. No. 16521-r. S. No. E-1947.)

On January 29, 1920, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 packages of Cal-Sino hog restorative, at Elizabeth City, N. C., alleging that the article had been shipped by the Cal-Sino Co., Inc., Baltimore, Md., on or about May 28, 1919, and transported from the State of Maryland into the State of North Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Cal-Sino Hog Restorative * * * Disinfect the Bowels, Expel Worms, * * * And Aids in the Prevention and Treatment of Intestinal Diseases. * * * Cal-Sino Hog Restorative * * * Intestinal Disinfectant designed for * * * Intestinal Catarrh, Diarrhea, Scours or Cholera-Like Diseases * * * During Prevalence of Hog Cholera And on noticing or hearing of suspicious symptoms of Cholera * * * give double doses of the powder daily for a while and then regular daily doses. It rids the system of impurities, disinfects the bowels and therefore helps to ward off Cholera * * * or checks * * * progress * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of chlorid, sulphate, and bicarbonate of sodium, ferrous sulphate, nux vomica, sulphur, charcoal, wheat shorts, and a small amount of mineral oil and phenolic compound.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed, and the said statements were applied to the article so as to represent falsely and fraudulently to purchasers thereof, and to create in the minds of purchasers thereof the impression and belief, that it was effective for the purposes for which it was recommended, when, in truth and in fact, it was not.

On April 29, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9653. Adulteration of maple sugar. U. S. * * * v. 7 Sacks of Alleged Maple Sugar. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12526. I. S. Nos. 3306-r, 3312-r. S. No. W-588.)

On March 23, 1920, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district a libel for the seizure and condemnation of 7 sacks of alleged maple sugar, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Coast Conserve Co., Seattle, Wash., on or about December 15, 1919, and transported from the State of Washington into the State of California, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed vegetable substance.

On September 3, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9654. Adulteration and misbranding of cottonseed meal. U. S. * * * v. 400 Sacks of Cottonseed Meal. Decree ordering release of product under bond. (F. & D. No. 12700. I. S. No. 17589-r. S. No. E-2162.)

On June 2, 1920, the United States attorney for the Northern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 sacks of cottonseed meal, remaining in the original packages at Perry, Fla., alleging that the article had been shipped by the Central Oil Co., Macon, Ga., April 24, 1920, and transported from the State of Georgia into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, (on sacks) "Nitrogen 5.76% * * * Ammonia, not less than 7.00% * * *."

Adulteration of the article was alleged in substance in the libel for the reason that a substance deficient in protein had been mixed and packed with, and substituted wholly or in part for, the substances described in the labels on the said sacks, nitrogen 5.76 per cent and ammonia not less than 7 per cent.

Misbranding was alleged in substance for the reason that the above-quoted statements appearing on the sacks containing the article were false and misleading in that the said article did not contain the substances therein set forth.

On September 30, 1920, the Central Oil Co., Macon, Ga., having entered an appearance as claimant for the property, it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9655. Adulteration and misbranding of Craig Healing Springs mineral water. U. S. * * * v. Craig Healing Springs Hotels, Inc., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 12800. I. S. Nos. 15762-r, 17331-r.)

On January 18, 1921, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Craig Healing Springs Hotels, Inc., a corporation, Springs, Va., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about May 28 and September 17, 1919, from the State of Virginia into the State of Maryland and the District of Columbia, respectively, of quantities of Craig Healing Springs mineral water, the former consignment of which was misbranded and the latter adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

Compounds.	Milligrams per liter.
Magnesium chlorid (MgCl_2)	2.7
Magnesium sulphate (MgSO_4)	8.1
Magnesium bicarbonate ($\text{Mg}(\text{HCO}_3)_2$)	5.9
Calcium bicarbonate ($\text{Ca}(\text{HCO}_3)_2$)	319.6
Silica (SiO_2)	13.3
Manganese bicarbonate ($\text{Mn}(\text{HCO}_3)_2$)	.3
Ferric oxid (Fe_2O_3)	4.4
Alumina (Al_2O_3)	2.9
Total	357.2

Sanitary analysis of the consignment into the District of Columbia showed that it contained *B. coli* in small quantities.

Adulteration of the product involved in the consignment of September 17, 1919, into the District of Columbia, was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal or vegetable substance.

Misbranding of the product involved in both consignments of the article was alleged in substance for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles or the shipping cases containing the article, as the case might be, falsely and fraudulently represented that the product involved in the consignment of May 28, 1919, into Maryland, was effective as a relief, treatment, remedy, and cure for diseases of the skin, eczema, scrofulous sores, cutaneous and dermatic eruptions, indigestion in all its forms, dyspepsia, constipation, bilious diarrhea, catarrhal troubles, and other derangements of the stomach, leucorrhea, hemorrhoids, diabetes, Bright's disease, and rheumatism, and effective to heal and stimulate the kidneys to healthy and vigorous action; and that the product involved in the remaining consignment was effective as a relief for dermatic troubles, scrofula, indigestion, kidney trouble, Bright's disease, diabetes, and rheumatism, when, in truth and in fact, they were not. Misbranding of the product involved in the consignment of May 28, 1919, into Maryland, was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On February 14, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9656. Misbranding of cottonseed cake. U. S. * * * v. 400 Sacks * * * of Cottonseed Cake. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 13768. I. S. No. 463-t. S. No. C-2548.)

On October 7, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 sacks, more or less, of cottonseed cake, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Gilmer Cottonseed Oil Co., Gilmer, Tex., on or about September 22, 1920, and transported from the State of Texas into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in substance in the libel for the reason that the statement on the labels of the sacks containing the said article, "100

Lbs. Net," was false and misleading and deceived and misled the purchaser, and for the further reason that the said article was food in package form, and the quantity of the contents was not plainly and conspicuously marked and stated on the outside of the package, since the quantity stated was incorrect.

On October 14, 1920, the Gilmer Cottonseed Oil Co., Gilmer, Tex., claimant, having admitted the allegations of the libel and having consented to a decree of condemnation and forfeiture, judgment was entered by the court ordering that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9657. Adulteration and misbranding of vinegar. U. S. * * * v. 100 Barrels of Alleged Pure Cider Vinegar. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 13992. I. S. No. 5304-t. S. No. E-2912.)

On December 6, 1920, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 barrels of alleged pure cider vinegar, remaining unsold in the original unbroken containers at Providence, R. I., consigned by the Powell Corp., Canandaigua, N. Y., alleging that the article had been shipped from Canandaigua, N. Y., on or about June 21, 1920, and transported from the State of New York into the State of Rhode Island, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that apple waste vinegar and added ash material had been mixed and packed with, and substituted wholly or in part for, cider vinegar.

Misbranding was alleged for the reason that the statement on the label of the barrels containing the article, "Pure Cider Vinegar Made From Apples," was false and misleading and deceived and misled the purchaser by representing the product to be pure cider vinegar made from apples, when it was not. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, pure cider vinegar.

On June 6, 1921, the Powell Corp., Canandaigua, N. Y., having entered an appearance as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$300, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9658. Adulteration of canned salmon. U. S. * * * v. 1,041 Cases of * * * Happy-Vale Brand Pink Salmon. Consent decree of condemnation and forfeiture. Product delivered to State officials to be used for fish food. (F. & D. No. 14176. I. S. Nos. 15394-r, 10553-t. S. No. W-833.)

On January 11, 1921, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,041 cases, each containing 4 dozen cans, of salmon, labeled in part, "Happy-Vale Brand Pink Salmon," remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped from Chicago, Ill., on December 16 and 17, 1919, respectively, and transported from

the State of Illinois into the State of Washington, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance.

On March 30, 1921, the American Packing Co., South Bellingham, Wash., claimant, having admitted the allegations of the libel and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the State fish commissioner and State game warden to be used as fish food in the State fish hatcheries.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9659. Misbranding of Sa-Tan-Ic. U. S. * * * v. 113 Bottles * * * of * * * Sa-Tan-Ic, et al. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 14394, 14469, 14470, 14471, 14472, 14474, 14453, 14454. I. S. No. 3990-t. Inv. Nos. 27492, 27493, 27496, 27497, 27498, 27500, 27526. S. Nos. C-2767, C-2808, C-2809, C-2810, C-2811, C-2813, C-2796, C-2797.)

On February 3, 14, and 19, 1921, respectively, the United States attorney for the Western District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of approximately 403 bottles of Sa-Tan-Ic, remaining in the original unbroken packages at Kansas City, Sedalia, Independence, Higginsville, and Holden, Mo., alleging that the article had been shipped by the Sa-Tan-Ic Medicine & Mfg. Co., Wichita, Kans., on or about October 4 and 25, November 1, and December 29, 1920, and January 15, 23, and 31, 1921, respectively, and transported from the State of Kansas into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Blood Purifier * * * System Renovator * * * For Stomach, Kidney and Liver Complaints, Dyspepsia, Appendicitis, Asthma and Shortness of Breath. The Woman's Friend For Weak Back, Bearing Down Pains and Sick Headache. * * * All-Round Tonic. For Rheumatism * * *"; (circular) " * * * Sick Headaches, foul breath, sallow or pimply skin, falling hair, brittle nails, skin diseases, rheumatism, kidney trouble, and in many cases, female weakness is traced directly to faulty digestion. Heart Trouble and * * * appendicitis, * * * typhoid and such diseases * * *. In Old Age * * * Sa-Tan-Ic * * * is an ideal remedy at that time of life. * * * for the treatment of diseases arising * * * such as * * * Indigestion, Heartburn, Sour Stomach, Flatulency, Sick Headache, Dizziness, Jaundice, * * * Rheumatism and all Blood Disorders. * * * Kidney Trouble Overcome * * * Inflammation Of The Gallbladder * * * Cured By Taking Sa-Tan-Ic."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained magnesium sulphate, cascara bark extractives, salicylic acid, methyl salicylate, oil of peppermint, water, and a trace of alcohol.

It was alleged in substance in the libels that the article was misbranded in that the labels and printing on the bottles and circulars, respectively, regarding the curative and therapeutic effects of the said article, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the curative effects claimed in the above-quoted statements.

On March 19, 1921, the Sa-Tan-Ic Medicine & Mfg. Co., Wichita, Kans., claimant, having admitted the allegations of the libels and having consented to decrees of condemnation and forfeiture, judgments were entered finding the

product to be misbranded, and it was ordered by the court that it be released to said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$800, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9660. Misbranding of Bourbon hog cholera remedy. U. S. * * * v. 3 Packages Gallon, 6 Packages Half-Gallon, and 11 Packages Quart [Size], and 8 Bottles of * * * Bourbon Hog Cholera Remedy. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 11421, 11422. I. S. Nos. 6419-r, 6420-r. S. Nos. C-1516, C-1517.)

On October 9, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 3 packages, gallon size, 6 packages, half-gallon size, 11 packages, quart size, and 8 bottles of Bourbon hog cholera remedy, at Xenia and Miamisburg, Ohio, respectively, consigned by the Bourbon Remedy Co., Lexington, Ky., on or about August 2 and 30, 1919, respectively, alleging that the article had been shipped from Lexington, Ky., and transported from the State of Kentucky into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "The Famous Blue Grass Hog Remedy Health To Hogs Bourbon Hog Cholera Remedy * * * For Cholera, Worms, Scours, Cough, Thumps * * * In Treating Hogs for Cholera with this medicine * * * The Doses as Prescribed have been found to produce * * * beneficial effects * * * to Cholera Infected Hogs * * * Hogs That are Too Sick to Eat should be drenched * * * with a tablespoonful of medicine mixed in * * * milk or gruel. * * * For Hog Cholera * * * Treat Apparently Well Hogs in infected herds the same as sick ones. * * * For Worms in Hogs * * * As a Preventive Against Disease * * * Caution This package contains enough medicine to treat * * * cholera infected hogs for a sufficient length of time to effect a cure"; (folder) "* * * For Cholera, Worms, Cough, Thumps * * * This remedy is produced by a combination of mineral salts and acids which forms a powerful internal germicide. * * * From ten days to two weeks' treatment is usually required to effect a cure, according to the virulence of the disease and the condition of the animals when treatment is begun. * * * It can be used as a worm destroyer, * * * preventive against disease * * * Bourbon Hog Cholera Remedy is certain death to all worms and disease-breeding parasites in hogs * * *"; (testimonials) "The cholera infected hog that I treated with Bourbon Hog Cholera Remedy was entirely cured. * * * For several years I have been treating cholera hogs with Bourbon Hog Cholera Remedy and have never lost a case of hog cholera that I have treated with this remedy. * * * After losing sixty-five hogs out of ninety with cholera, I treated the remaining twenty-five sick ones with Bourbon Hog Cholera Remedy and lost only one hog. * * * My hogs had the disease and Dr. Jas. A. Giblin treated them with Bourbon Hog Cholera Remedy and saved them all. * * * We have been feeding Bourbon Hog Cholera Remedy to our hogs and find it to be a sure worm exterminator. * * * My hogs had cholera * * * I then gave them Bourbon Hog Cholera Remedy and did not lose a hog. * * * My neighbors' hogs have died with cholera all around me. I have four hundred hogs and I have given them Bourbon Hog Cholera Remedy and it has kept them safe from disease. * * * It is simply wonderful to realize how sick hogs can get with cholera and then be cured with Bourbon Hog Cholera Remedy. Hogs

here have been dying by the hundreds and everything failed until this remedy was used. All who have used it have received the best results * * *"; (leaflet) "Famous Remedies. Bourbon Hog Cholera Remedy The Famous Blue Grass Hog Remedy that has been used with unusual success in the treatment of cholera in hogs. It possesses wonderful antidotal and purifying properties which prevent, arrest and cure infectious disease among swine, simply by destroying the organisms that produce these ailments."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of aloes, iron sulphate, magnesium sulphate, copper sulphate, sulphuric acid, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements regarding the curative or therapeutic effect thereof, appearing on the cartons and in the labels, circulars, booklets, and leaflets, were false and fraudulent in that the said article contained no ingredients or combination of ingredients capable of producing the effects claimed and in that the said article was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the said statements.

On March 10, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9661. Adulteration and misbranding of Pepso-Laxatone. U. S. * * * v. 45 Bottles * * * of Pepso-Laxatone * * *. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11563. I. S. No. 12411-r. S. No. C-1653.)

On December 23, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 45 bottles, more or less, of Pepso-Laxatone, remaining in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped by the Burlingame Chemical Co., Los Angeles, Calif., on or about October 15, 1919, and transported from the State of California into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained licorice, hydrochloric acid, glycerin, alcohol, water, and traces of pepsin, cascara, and sugar. Diastase and pancreatin were absent.

Adulteration of the article was alleged in the libel for the reason that it was not the standard and quality under which it was sold, since it contained negligible quantities of pepsin and only a trace of cascara extract and no diastase nor pancreatin.

Misbranding was alleged in substance for the reason that the statement appearing in the labeling of the said article, "Pepso-Laxatone is a solution of Pepsin, Diastase, Pancreatin * * * to which is added to each fluid ounce 60 grains of fluid extract of Cascara Sagrada," was false and misleading. Misbranding was alleged for the further reason that the statements appearing in the labeling, "A Digestant Laxative * * * An efficient combination of agents for the permanent relief of habitual Constipation, Gastric Disorders and Indigestion," were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 27, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9662. Misbranding of East India capsules. U. S. * * * v. 30 Packages * * * of East India Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11583. I. S. No. 12409-r. S. No. C-1586.)

On November 8, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 packages of East India capsules, remaining in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped by the Hollander-Koshland Co., Baltimore, Md., on or about July 22, 1919, and transported from the State of Maryland into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the capsules contained, essentially, sulphurated vegetable oil, copaiba, and oils of cinnamon and santal.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing in the label of the packages containing the said article and in a circular accompanying the same, falsely and fraudulently represented it to be effective in the treatment of gonorrhea, commonly known as clap, gleet, and disorders of similar origin and nature, when, in truth and in fact, it was not.

On July 27, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9663. Misbranding of Dr. A. V. Banes' kidney and rheumatic remedy. U. S. * * * v. Artileus Valerius Banes (Dr. A. V. Banes' Medicine Co.). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 11795. I. S. No. 6876-r.)

On May 25, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Dr. Artileus Valerius Banes, trading as the Dr. A. V. Banes' Medicine Co., St. Joseph, Mo., alleging shipment by said defendant, on or about October 24, 1918, in violation of the Food and Drugs Act, as amended, from the State of Missouri into the State of Kansas, of a quantity of Dr. A. V. Banes' kidney and rheumatic remedy which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained sodium and potassium compounds of iodine, acetic acid, nitric acid, and salicylic acid, vegetable extractive matter, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles and cartons containing the article and in the booklet accompanying the article, falsely and fraudulently represented it to be effective as a preventive, treatment, remedy, and cure for neuralgia, diseases of the kidney, liver, and bladder, gravel, gall stones, liver colic, swelling of joints, lame back, pain in muscles, side, back, and

loins, scrofula, diseases of the blood, nasal catarrh, diabetes, catarrh of stomach and bowels, indigestion, malaria, and eczema, and effective as a powerful blood purifier and to rid the system of nicotine, when, in truth and in fact, it was not.

On September 22, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9664. Adulteration of shell eggs. U. S. * * * v. Frank Dorn. Plea of guilty. Fine, \$50. (F. & D. No. 12799. I. S. No. 2097-r.)

On July 26, 1920, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank Dorn, Big Springs, Nebr., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about September 14, 1919, from the State of Nebraska into the State of Colorado, of a quantity of shell eggs which were adulterated.

Examination of 324 eggs taken from five of the cases involved in the consignment, by the Bureau of Chemistry of this department, showed the presence of 229, or 70.6 per cent, inedible eggs, consisting of black rots, mixed or white rots, moldy eggs, spot rots, and blood rings.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, putrid, and decomposed animal substance.

On June 15, 1921, a plea of guilty to the information was entered by the defendant, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9665. Misbranding of Dr. Martel's female pills. U. S. * * * v. 1 Dozen Packages of * * * Dr. Martel's Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13349. I. S. No. 10106-t. S. No. W-686.)

On August 17, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 dozen packages of Dr. Martel's female pills, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the McCullough Drug Co., Lawrenceburg, Ind., on or about November 1, 1919, and transported from the State of Indiana into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) "Female Pills * * * For (Suppression Of The Menses) Dysmenorrhoea (Painful Menstruation) And Similar Functional Derangements"; (circular) " * * * Female Pills * * * For Disturbances Of The Menstrual Functions * * * For Amenorrhoea (Suppression of the Menses * * *) * * * treatment * * * should be continued until relief is obtained. For Dysmenorrhoea (Painful or Scanty Menstruation) * * * our medicine will be found to give lasting benefit and genuine relief * * * To prevent difficult, painful, overprofuse and other morbid menstrual conditions, and keep this important function normal, take * * * for a few days before the expected re-appearance of the menstrual flow."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of ferrous sulphate and carbonate, and oil of savin.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the labeling, regarding

the curative and therapeutic effects thereof, were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 29, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9666. Misbranding of Dr. A. W. Chase's nerve pills. U. S. * * * v. 6
Dozen Packages of * * * Dr. A. W. Chase's Nerve Pills. Default
decree of condemnation, forfeiture, and destruction. (F. & D. No.
13370. I. S. No. 10108-t. S. No. W-684.)**

On August 18, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen packages of Dr. A. W. Chase's nerve pills, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Dr. A. W. Chase Medicine Co., Buffalo, N. Y., January 10, 1920, and transported from the State of New York into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Label) "Used In The Treatment of * * * Nervous Prostration * * * Nervous Headache Nervous Dyspepsia * * * Irregular Heart Action Dizziness & Fainting Sleeplessness"; (circular) "* * * Nerve Pills impart new life and strength to every organ of the body, create new brain and nerve tissue, and make it next to impossible for the following diseases and symptoms of diseases to set in: Nervous prostration, exhaustion, depression, * * * sleeplessness, * * * lack of energy, ambition and nerve force, paralysis, and locomotor ataxia; * * * diseased blood, * * * female troubles, * * * leucorrhea (whites), painful, profuse or suppressed menstruation, tardy development of girls, sexual debility, loss of vital forces, premature decay, heart affections, neuralgia, rheumatism, la grippe, and all diseases of the brain and nerves. * * * On account of their extraordinary restorative influence and * * * action on the system, * * * Nerve Pills are especially suited to the needs of children. * * * weak and puny boys and girls become strong, healthy and robust. * * * nourish the blood and nerves * * * nourish the weakened and exhausted nervous system back to health and strength, * * * through the nerve fibers * * * send new vitality through the whole human system. * * * nerves * * * must be completely restored by such nourishment as can best be supplied by * * * Nerve Pills, the great restorative * * * loss of sensation in the hands, partial loss of memory * * * dizziness and uncertainty in walking. * * * should be treated * * * while there is hope of complete recovery. * * * Nerve Pills * * * restore the wasted nerve force, * * * by strengthening the nerves gives them full control of the female organs. * * * no preparation known * * * will more quickly create new, rich blood than * * * Nerve Pills. * * * contain the life-giving principles that entitle the blood to be called the 'vital fluid' * * * make pale weak men and women strong and healthy. * * * give to the thin and emaciated a well rounded form which tells of a steady advance in health * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills contained strychnine, arsenic, aloes, iron carbonate, and a manganese compound.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the labeling, regarding the curative and therapeutic effects thereof, were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 29, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9667. Misbranding of Dr. Silverstone's sexual pills. U. S. * * * v. 40 Dozen Packages of * * * Dr. Silverstone's Sexual Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13719. I. S. No. 10130-t. S. No. W-750.)

On September 23, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 40 dozen packages of Dr. Silverstone's sexual pills, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the S. Pfeiffer Mfg. Co., St. Louis, Mo., on or about April 8, 1920, and transported from the State of Missouri into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, (bottle and wrapper) " * * * Sexual Pills For Vim, Vigor and Vitality * * * "

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a sugar-coated pill consisting essentially of plant extractives, including resins, nux vomica alkaloids, and damiana.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the labeling, regarding the curative and therapeutic effects thereof, were false and fraudulent since the said article contained no ingredients or combination of ingredients capable of producing the effects claimed.

On April 1, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9668. Misbranding of Nux-Auro-Papanad. U. S. * * * v. 25 Packages of * * * Nux-Auro-Papanad. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13720. I. S. No. 10129-t. S. No. W-773.)

On September 23, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 packages of Nux-Auro-Papanad, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped on April 7, 1919, and transported from the State of New York into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Nux-Auro-Papanad Tonic—Restorative, Aphrodisiac, * * * Indicated In * * * Vaso-Motor-Paresis, Neurasthenia, Melancholia, Malnutrition, General Debility, Sexual Exhaustion * * * "

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of red sugar-coated pills containing strychnine, salts of zinc, calcium, and lithium, and creosote.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the labeling, regarding the curative and therapeutic effects thereof, were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 30, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9669. Misbranding of Paulette's Brand tansy tablets. U. S. * * * v. 27 Dozen Packages of * * * Paulette's Brand Tansy Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14086. I. S. No. 10096-t. S. No. W-774.)

On December 18, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 27 dozen packages of Paulette's Brand tansy tablets, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped in part by Fay & Young's Rubber Corp., New York, N. Y., on or about May 27, 1920, and transported from the State of New York into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) " * * * The most reliable tablets known for the suppression of the menstrual function * * *"; (circular in English and foreign languages) " * * * Best results are obtainable in using The Renowned 'Paulette's Brand' * * * Tansy, Cotton Root, Pennyroyal and Apol Tablets * * * justly famous Regulator Tablet * * * Delayed Menstruations. When the suppression is of long standing * * * take one tablet at bedtime until four days before the time when the menses should appear. On these four days, immediately preceding the expected appearance of the menstrual flow, * * * take one * * * three times daily, * * * Abnormal, Premature and Irregular Menstruations. Where the menses are not regular, either making their appearance a few days before, or after their proper time, or after the appearance is of long standing Paulette's Brand Tablets will be found invaluable. * * * Strict adherence to the above directions is generally followed by satisfactory results, * * * failure to arrive at this point should not be in the least discouraging. * * * when suffering from several months' suppressed menstruation * * *."

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the labeling, regarding the curative and therapeutic effects thereof, were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 17, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9670. Adulteration of shell eggs. U. S. * * * v. Sam R. Bland. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 11805. I. S. No. 9444-r.)

On April 7, 1920, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Sam R. Bland, Pheba, Miss., alleging shipment by said defendant, in violation

of the Food and Drugs Act, on or about July 8, 1919, from the State of Mississippi into the State of Missouri, of a quantity of shell eggs which were adulterated.

Examination by the Bureau of Chemistry of this department of 180 eggs from one case of the consignment showed that 46 eggs, or 25.5 per cent, were inedible, consisting of black rots and blood rings.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On October 4, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9671. Adulteration and misbranding of cottonseed meal. U. S. * * * v. The Buckeye Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 11811. I. S. No. 10708-r.)

On June 23, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Buckeye Cotton Oil Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 10, 1919, from the State of Tennessee into the State of Indiana, of a quantity of cottonseed meal which was adulterated and misbranded. The article was labeled in part, "Thirty Six Brand" Cotton Seed Meal * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 33.9 per cent of protein, 5.43 per cent of nitrogen, and 16.42 per cent of crude fiber.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed hulls, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and had been substituted in part for cottonseed meal, which the article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Cotton Seed Meal * * * Guaranteed Analysis: Protein 36.00% * * * Nitrogen 5.75% Fibre 14.00%," borne on the tags attached to the sacks containing the said article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was cottonseed meal and contained not less than 36 per cent of protein, not less than 5.75 per cent of nitrogen, and not more than 14 per cent of fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was cottonseed meal, and contained not less than 36 per cent of protein, not less than 5.75 per cent of nitrogen, and not more than 14 per cent of fiber, whereas, in truth and in fact, it was not cottonseed meal but was a mixture of cottonseed meal and cottonseed hulls and did contain less than 36 per cent of protein, less than 5.75 per cent of nitrogen, and more than 14 per cent of fiber.

On June 27, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9672. Adulteration of canned salmon. U. S. * * * v. 1,660 Cases Labeled "2300 1-Lb. Talls Plain Tops Paraffine Liner Columbia Salmon Co." Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 12556. I. S. No. 3411-r. S. No. W-586.)

On March 18, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and

condemnation of 1,660 cases labeled "2300 1-Lb. Talls Plain Tops Paraffine Liner Columbia Salmon Co.," remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Columbia Salmon Co., from Tenakee Inlet, Alaska, November 24, 1919, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy and decomposed animal substance.

On August 14, 1920, the Columbia Salmon Co., Seattle, Wash., claimant, having admitted the allegations of the libel and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that, upon payment of the costs of the proceedings and the execution of a bond in the sum of \$8,000, in conformity with section 10 of the act, conditioned in part that the product be sorted under the supervision of this department, the bad portion thereof be destroyed and the good portion be released to said claimant.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9673. Misbranding of lemon flavor and extract, wintergreen flavor, and peppermint flavor and adulteration and misbranding of peppermint extract and headache migraine tablets. U. S. * * * v. E. B. Barlow Co., a Corporation. Plea of guilty. Fine, \$98. (F. & D. No. 13083. I. S. Nos. 13917-r, 13918-r, 13919-r, 13920-r, 13921-r, 13926-r, 13929-r.)

On January 14, 1921, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the E. B. Barlow Co., Binghamton, N. Y., alleging shipment by said company, on or about April 2, 1919, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Pennsylvania, of quantities of White Swan Brand lemon extract, Barlow's Baby Grand lemon flavor, Barlow's R. G. A. Brand lemon extract, Baby Grand wintergreen flavor, and Baby Grand peppermint flavor, which were misbranded, and of quantities of White Swan Brand peppermint extract and "All-Over" headache migraine tablets, which were adulterated and misbranded.

Examination of samples of the articles by the Bureau of Chemistry of this department showed that the lemon, wintergreen, and peppermint flavoring in all consignments were short in volume. Analysis of a sample of the White Swan Brand peppermint extract showed that it was deficient in peppermint oil. Analysis of a sample of the "All-Over" headache migraine tablets showed that they contained 1.75 grains of acetanilid per tablet, a shortage of 50 per cent from the amount declared.

Misbranding was alleged in the information with respect to the White Swan Brand lemon extract, Barlow's Baby Grand lemon flavor, Barlow's R. G. A. Brand lemon extract, Baby Grand wintergreen flavor, and Baby Grand peppermint flavor for the reason that the respective statements, to wit, "2½ Fluid Oz.," "1 Fl. Oz.," "2 Fl. Oz.," "1 Fl. Oz.," and "1 Fl. Oz.," borne on the labels attached to the bottles containing the articles, regarding the articles, were false and misleading in that they represented that each of the said bottles contained 2½ fluid ounces, 2 fluid ounces, or 1 fluid ounce, as the case might be, of the articles, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said bottles contained 2½ fluid ounces, 2 fluid ounces, or 1 fluid ounce, as the case might be, of the articles, whereas, in truth and in fact, each of the said bottles did not contain the quantity of the respective articles declared

on the labels but did contain a less amount. Misbranding was alleged for the further reason that the articles were food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages. Misbranding of the White Swan Brand peppermint extract was alleged for the reason that the statements, to wit, "Pure Extract Peppermint" and "2½ Fl. Oz.," borne on the labels attached to the bottles containing the article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the said article was pure extract peppermint and that each of the said bottles contained 2½ fluid ounces thereof, and for the further reason that the said article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure extract peppermint and that each of the said bottles contained 2½ fluid ounces thereof, whereas, in truth and in fact, it was not pure extract peppermint but was a dilute peppermint extract, and each of the bottles contained a less amount. Misbranding was alleged for the further reason that the said article was a dilute peppermint extract prepared in imitation of pure extract peppermint and was offered for sale and sold under the distinctive name of another article, to wit, pure extract peppermint, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package. Misbranding of the "All-Over" headache migraine tablets was alleged for the reason that the statement, to wit, "Each tablet contains Acetanilid 3½ Grs.," borne on the boxes containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that each tablet contained 3½ grains of acetanilid, whereas, in truth and in fact, each of said tablets did not contain 3½ grains of acetanilid but did contain a less amount. Misbranding was alleged for the further reason that the article contained acetanilid, and the label failed to bear a statement of the quantity and proportion of acetanilid contained therein.

Adulteration of the White Swan Brand peppermint extract was alleged for the reason that a substance, to wit, a dilute peppermint extract, had been substituted in whole or in part for pure extract peppermint, which the article purported to be. Adulteration of the "All-Over" headache migraine tablets was alleged in the information for the reason that their strength and purity fell below the professed standard under which they were sold in that they were sold as a product each tablet of which contained 3½ grains of acetanilid, whereas, in truth and in fact, each tablet contained less than 3½ grains of acetanilid.

On February 23, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$98.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9674. Misbranding of Nerv-Mintz. U. S. * * * v. 36 Packages of * * * Nerv-Mintz. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13493. I. S. No. 3043-t. S. No. C-2137.)

On August 24, 1920, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 36 packages of Nerv-Mintz, remaining in the original unbroken packages at Chattanooga, Tenn., alleging that the article had been shipped by the Earle Chemical Co., Wheeling, W. Va., June 25, 1920, and transported from the State of West Virginia into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) "Nerv-Mintz Nerve and Energy Tablets Especially A Nerve Strengthener * * * soothe and quiet the nerves

* * * used for the relief of nervousness, loss of vigor, energy and ambition—lack of confidence, sleeplessness, trembling, nervelessness, shifty gait, shattered nerves, exhausted or weakened vitality, mental depression, numbness, weakening habits, * * * and all overworked and unstrung nerves induced by fast living and other excesses. * * * in the treatment of nervous conditions which follow too strenuous living, mental and physical fatigue, and other excesses”; (circular) “Nerv-Mintz For Nervous Debility * * * exceptionally efficient in the treatment of nervousness, loss of vigor, energy and ambition, lack of confidence, sleeplessness, shifty gait, shattered nerves, weakened or exhausted vitality, mental or physical depression, weakening habits, * * * and for all over-worked and unstrung nerves induced by fast living and other excesses. * * * To all those who thus suffer from the effects of fast living, over-work and the drains of present day strenuous excesses, Nerv-Mintz prove most wonderful rejuvenators, restoring the lost vitality you perhaps had thought was gone forever. Generally results are quick. * * * Keep up the treatment * * *.”

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of tablets containing zinc phosphid, nuxvomica, saw palmetto, capsicum, and aloin.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effects thereof were false, fraudulent, and misleading in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed and was not, in fact, a cure and relief for the complaints and ailments as above set forth.

On November 26, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9675. Misbranding of Red Cross tansy pills. U. S. * * * v. 3 Dozen Packages of * * * Red Cross Tansy Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13814. Inv. No. 23247. S. No. C-2563.)

On October 23, 1920, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen packages of Red Cross tansy pills, at Duluth, Minn., alleging that the article had been shipped by the Norman Lichty Mfg. Co., Des Moines, Iowa, on or about January 30, 1920, and transported from the State of Iowa into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes and ferrous sulphate.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding the curative and therapeutic effect thereof, to wit, (carton) “* * * Relieves Cases of obstructions of long standing and the Regulation of Female Complaints,” (circular) “* * * Sure Relief in cases of obstructions of long standing and the Regulation of all Female Complaints * * * safe and sure as a monthly regulator. * * * Suppression of menstruation * * * The object of this remedy is to relieve this abnormal condition, and long experience in its use has demonstrated

beyond a doubt its efficacy. * * * no experiment, but an assured success, and all who require a remedy of this kind should use Red Cross Tansy Pills. * * * For Suppressed Menstruation, For Painful Menstruation, And a Preventative For Irregular Menstruation," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 22, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9676. Misbranding of Hall's catarrh medicine. U. S. * * * v. 3 Dozen Bottles, 507 Bottles, and 291 Bottles of Hall's Catarrh Medicine. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14030, 14031, 14032. Inv. Nos. 26863, 26864, 26865. S. Nos. C-2617, C-2619, C-2620.)

On December 16, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 3 dozen bottles, 507 bottles, and 291 bottles of Hall's catarrh medicine, at Little Rock, Ark., alleging that the article had been shipped by F. J. Cheney & Co., Toledo, Ohio, on or about August 27 and October 20, 1920, respectively, and transported from the State of Ohio into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a solution of potassium iodid, bitter plant extractives, sugar, alcohol, and water, flavored with cardamom.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements appearing on the carton and bottle containing the said article and in an inclosed booklet, to wit, (carton and bottle) "Hall's Catarrh Medicine * * *," (bottle) "* * * valuable in the treatment of Catarrh * * *," (booklet) "* * * for Catarrh of the Nasal Cavity, Catarrh of the Ear, Throat, Stomach, Bowels or Bladder. * * * A Blood Purifier * * *," were false and fraudulent in that the article contained no ingredient or combination of ingredients that would produce the therapeutic or medicinal effects claimed.

On April 26, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9677. Adulteration of canned salmon. U. S. * * * v. Blaine Cannery Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 14545. I. S. No. 16138-r.)

On May 17, 1921, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Blaine Cannery Co., a corporation, Blaine, Wash., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 27, 1918, from the State of Washington into the State of Georgia, of a quantity of canned salmon which was adulterated. The article was labeled in part, "* * * Ibex Brand Chum Salmon * * *"

Examination of 48 cans of the article by the Bureau of Chemistry of this department showed that 12 cans had a tainted odor, were in a state of active fermentation when opened, and were decomposed. The contents of 25 of the remaining 36 cans had a tainted odor and were decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy and decomposed animal substance.

On June 10, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9678. Misbranding of Pratt's cow remedy. U. S. * * * v. 26½ Dozen Pails of Pratt's Cow Remedy. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 14595. I. S. No. 10626-t. S. No. W-880.)

On March 9, 1921, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 26½ dozen pails of Pratt's cow remedy, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Pratt Food Co., Philadelphia, Pa., December 2, 1920, and transported from the State of Pennsylvania into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: " * * * For Barrenness * * * For Calves: For preventing or treating scours * * * For Accidental Or Non-Contagious Abortion * * * Contagious Abortion * * * Retained After-birth * * * Pratt's Cow Remedy is a tested compound to aid in the prevention and treatment of abortion (slinking of calves), barrenness (failure to breed), retained afterbirth * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sodium chlorid, sodium bicarbonate, magnesium sulphate, fenugreek, ginger, capsicum, nux vomica, bitter plant material, charcoal, and a small amount of iron oxid.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the labeling, regarding the curative and therapeutic effects thereof, were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 1, 1921, the Pratt Food Co., Philadelphia, Pa., claimant, having admitted the allegations of the libel and having confessed judgment, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the product be relabeled under the supervision of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9679. Adulteration and misbranding of olive oil. U. S. * * * v. 1 Barrel of Olive Oil, So-Called. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 15009. I. S. No. 5401-t. S. No. E-3370.)

On June 2, 1921, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 barrel of olive oil, remaining unsold at Lawrence, Mass., alleging that the article had been shipped by the I. C. Co. [Italy Commercial Co.], New York, N. Y., on or about March 31, 1921, and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to re-

duce and lower and injuriously affect its quality and strength and had been substituted in part for olive oil, which the article purported to be. Adulteration of the article was alleged for the further reason that cottonseed oil had been mixed therewith in a manner whereby its damage and inferiority were concealed.

Misbranding was alleged for the reason that the statements, to wit, "Huilo D'Olive Extra Vierge Spain," labeled on the package, concerning the said article, the ingredients contained therein, and the place of manufacture thereof, were false and misleading in that the said statements represented the article to be olive oil of extra quality, imported from Spain, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser thereof into the belief that it was pure olive oil and a foreign product, whereas, in truth and in fact, it was not pure olive oil imported from Spain, but was an article containing added cottonseed oil and was made in the United States of America. Misbranding was alleged for the further reason that the said article was a product composed in part of cottonseed oil, prepared in imitation of, and offered for sale under the distinctive name of, another article, to wit, olive oil, and for the further reason that it was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On July 26, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal as cottonseed oil.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9680. Misbranding of The Texas Wonder. U. S. * * * v. 141 Bottles of The Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9418. I. S. No. 6269-r. S. No. C-1003.)

On November 5, 1918, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 141 bottles of The Texas Wonder, remaining in the original packages at Fort Worth, Tex., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., on or about October 8, 1918, and transported from the State of Missouri into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton and bottle) "The Texas Wonder, Hall's Great Discovery, for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism, Dissolves Gravel, Regulates Bladder Trouble in Children"; (circular) "Louis A. Portner * * * testified * * * he began using The Texas Wonder for stone in the kidneys * * * and tuberculosis of the kidneys * * * He was still using the medicine with wonderful results, and his weight had increased * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the above statements appearing upon the cartons and bottles and in the circular, regarding the therapeutic effects of the article, were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 19, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9681. Adulteration and misbranding of vinegar. U. S. * * * v. Clem Herbis, Edward J. Herbis, and Anthony B. Mayer (The Banner Vinegar Co.). Plea of guilty by Clem Herbis. Fine of \$280 and costs. Nolle prosequi as to remaining defendants. (F. & D. No. 9501. I. S. Nos. 12179-m, 12184-m, 12185-m, 12187-m, 12188-m, 12711-m, 12712-m.)

On July 12, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Clem Herbis, Edward J. Herbis, and Anthony B. Mayer, copartners, trading as the Banner Vinegar Co., Cincinnati, Ohio, alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about March 10, 19, and 23 and May 15, 1917, respectively, from the State of Ohio into the State of Indiana, and on or about April 25 and 30 and June 7, 1917, respectively, from the State of Ohio into the State of Kentucky, of quantities of vinegar which was adulterated and misbranded. The article was labeled in part, respectively, "Melrose Brand Pure Cider Vinegar * * *," "Melrose Brand Pure Apple Vinegar * * *," "Peerless Brand Fermented Apple Vinegar * * *," "Yale Brand Pure Cider Vinegar * * *," or "Ho-Made Brand Pure Apple Vinegar * * *."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained distilled vinegar or dilute acetic acid and material high in phosphates.

Adulteration of the article was alleged in the information for the reason that substances, to wit, either distilled vinegar or dilute acetic acid and ash materials, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and had been substituted in part for pure cider vinegar, pure apple vinegar, or fermented apple vinegar, as the case might be, which the article purported to be. Adulteration was alleged for the further reason that the said article was a product composed in part of either distilled vinegar or dilute acetic acid, prepared in imitation of cider vinegar, apple vinegar, or fermented apple vinegar made from apple products, as the case might be, and was mixed with ash materials so as to simulate the appearance of cider vinegar, apple vinegar, or fermented apple vinegar made from apple products, in a manner whereby its inferiority to said cider vinegar, apple vinegar, or fermented apple vinegar was concealed.

Misbranding was alleged for the reason that the statements, to wit, "Pure Cider Vinegar," "Pure Apple Vinegar," and "Fermented Apple Vinegar made from apple products," borne on the barrels containing the article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the said article consisted wholly of pure cider vinegar, pure apple vinegar, or fermented apple vinegar made from apple products, as the case might be, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of pure cider vinegar, pure apple vinegar, or fermented apple vinegar made from apple products, whereas, in truth and in fact, it did not so consist but did consist in part of either distilled vinegar or dilute acetic acid and added ash materials.

On November 15, 1920, the defendant Clem Herbis entered a plea of guilty to the information, and the court imposed a fine of \$280 and costs. The charges were nolle prossed with respect to the remaining defendants.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9682. Misbranding of cottonseed cake. U. S. * * * v. Monroe Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$100 and costs.
(F. & D. No. 9817. I. S. No. 8965-p.)

On January 28, 1919, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Monroe Cotton Oil Co., a corporation, having a place of business at Monroe, La., alleging shipment by said company, on or about March 9, 1918, in violation of the Food and Drugs Act, as amended, from the State of Louisiana into the State of Kansas, of a quantity of unlabeled cottonseed cake, invoiced as "Supreme Brand Cracked Screened Cake," which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 18, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9683. Misbranding of Butterfat dairy feed and Lookout dairy feed. U. S. * * * v. Monarch Mills, a Corporation. Plea of guilty. Fine, \$125 and costs. (F. & D. No. 9890. I. S. Nos. 10504-r; 10505-r.)

On September 14, 1920, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Monarch Mills, a corporation, Chattanooga, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 26, 1918, from the State of Tennessee into the State of Alabama, of quantities of articles labeled, respectively, "Butterfat Dairy Feed" and "Lookout Dairy Feed," which articles were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Butterfat dairy feed contained 22.63 per cent of protein, 4.41 per cent of fat, and 18.56 per cent of crude fiber, and that the Lookout dairy feed contained 16.88 per cent of protein and 3.03 per cent of fat.

Misbranding of the articles was alleged in the information for the reason that the statements, to wit, (Butterfat dairy feed) "Protein 26 per cent Fat 05 per cent Fibre 15 per cent," (Lookout dairy feed) "Protein 20 per cent Fat 04 per cent," borne on the tags attached to the sacks containing the articles, regarding the articles and the ingredients and substances contained therein, were false and misleading in that they represented that the articles contained not less than 26 per cent of protein, not less than 5 per cent of fat, and not more than 15 per cent of fiber or not less than 20 per cent of protein and not less than 4 per cent of fat, as the case might be, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they contained not less than 26 per cent of protein, not less than 5 per cent of fat, and not more than 15 per cent of fiber or not less than 20 per cent of protein and not less than 4 per cent of fat, as the case might be, whereas, in truth and in fact, the Butterfat dairy feed contained less than 26 per cent of protein, less than 5 per cent of fat, and more than 15 per cent of fiber, and the Lookout dairy feed contained less than 20 per cent of protein and less than 4 per cent of fat.

On November 9, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$125 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9684. Misbranding of cracked cottonseed feed. U. S. * * * v. Dallas Peanut Feed Manufacturers, a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 10592. I. S. No. 10829-r.)

On August 20, 1920, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Dallas Peanut Feed Manufacturers, a corporation, Dallas, Tex., alleging shipment by said company, on or about September 26, 1918, in violation of the Food and Drugs Act, from the State of Texas into the State of Kansas, of a quantity of an article labeled in part, "Cracked Cottonseed Feed No. Four," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 39.75 per cent of protein and that the average net weight of 35 sacks was 94.62 pounds.

Misbranding of the article was alleged in substance in the information for the reason that the statements, "Proten [Protein] not less than 41.20%" and "100 Pounds, Net," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained not less than 41.20 per cent of protein and that each sack contained 100 pounds of the article, and for the further reason that the article was so labeled as to deceive and mislead the purchaser into the belief that the article contained not less than 41.20 per cent of protein and that each sack contained 100 pounds of the article, whereas, in truth and in fact, the article contained less than 41.20 per cent of protein and each sack contained less than 100 pounds of the article. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 2, 1921, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9685. Adulteration and misbranding of canned kidney beans. U. S. * * * v. 102 Cases, 99 Cases, 137 Cases, and 275 Cases of Kidney Beans. Consent decrees and orders for release of product under bond. (F. & D. Nos. 12173, 12174, 12175, 12196, 12197. I. S. Nos. 9011-r, 9243-r, 9244-r, 9245-r, 9246-r, 9017-r, 9018-r. S. Nos. C-1752, C-1753, C-1754, C-1757, C-1773, C-1774.)

On February 18, 19, and 20, 1920, respectively, the United States attorney for the Eastern District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of approximately 613 cases of kidney beans, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Morgan Packing Co., Austin, Ind., July 30 and November 22, 1919, and January 8, 1920, respectively, and transported from the State of Indiana into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act. The various consignments were labeled in part, respectively, "Elk Brand Red Kidney Beans * * *," "Scott County Brand Red Kidney Beans * * *," "White House Brand Red Kidney Beans * * *," "Squirrel Brand Red Kidney Beans * * *," "Lucky Boy Brand Kidney Beans * * *," and "Pilot Brand Red Kidney Beans * * *."

Adulteration of the article was alleged in the libels for the reason that long cranberry beans had been mixed and packed with, and substituted wholly or in part for, the said article, to wit, kidney beans.

Misbranding was alleged for the reason that the above-quoted labeling was false and misleading and deceived and misled the purchaser when applied to long cranberry beans, and for the further reason that the said article was an imitation of, and was offered for sale under the distinctive name of, another article.

On June 2, 1921, the Morgan Packing Co., Austin, Ind., claimant, having admitted the allegations of the libel and having consented to decrees, judgments were entered finding that the product had been unlawfully shipped for sale in interstate commerce, and it was ordered by the court that it be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$1,900, in conformity with section 10 of the act, conditioned in part that the said product be relabeled as "Naga Uzura Kidney Beans," and that in the future the term "Kidney" be not used further than necessary to exhaust the stock of beans and labels on hand January 15, 1922.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9686. Misbranding of grapes. U. S. * * * v. Charles R. Brewer. Plea of guilty. Fine, \$25. (F. & D. No. 12315. I. S. Nos. 13169-r, 17330-r.)

On June 29, 1920, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles R. Brewer, Starkey, N. Y., alleging shipment by said defendant, on or about October 3, 1919, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Massachusetts and the District of Columbia, respectively, of quantities of grapes which were misbranded.

Examination of the consignments by the Bureau of Chemistry of this department showed an average content of 2 pounds 9 ounces on 32 baskets taken from the shipment to Massachusetts and of 2 pounds 13 ounces on 121 baskets taken from the shipment to the District of Columbia.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Weight 3 Lbs.," borne on the labels attached to the baskets containing the article, regarding the article, was false and misleading in that it represented that each of the said baskets contained 3 pounds net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the baskets contained 3 pounds net of the article, whereas, in truth and in fact, each of the said baskets did not contain 3 pounds net of the said article but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 12, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9687. Misbranding of Robert J. Pierce's Empress Brand tansy, cotton root, pennyroyal, and apiol tablets. U. S. * * * v. 64 Packages * * * of Robert J. Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal, and Apiol Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13307. I. S. No. 12379-t. S. No. C-2303.)

On September 2, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 64 packages, more or less, of Robert J. Pierce's Empress Brand tansy,

cotton root, pennyroyal, and apiol tablets, remaining unsold in the original packages at Columbus, Ohio, consigned by Robert J. Pierce, Inc., New York, N. Y., on or about June 23, 1920, alleging that the article had been shipped from New York, N. Y., and transported from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) " * * * A Safe Emmenagogue, Always Reliable And Effective. The Best Known Remedy For The Suppression Of The Menstrual Function "; (circular) " * * * The Celebrated Female Regulator * * * Delayed Menstruation When the suppression is of long standing, * * * take one * * * until four days before the time when the menses should appear. * * * immediately preceding the expected appearance of the menstrual flow, active treatment should begin. Take one * * * three times daily, * * * follow * * * instructions * * * until the desired result is obtained. * * * Irregularities Where the menses are not regular, * * * are invaluable. Take * * * before the expected appearance of the menstrual period."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained aloes, ferrous sulphate, pennyroyal, and unidentified plant extractives.

It was alleged in substance in the libel that the article was misbranded in that by reason of the above-quoted statements on the label of the box and in the accompanying circular the said article purported to contain and be a cure for certain diseases, disorders, and symptoms, and the said statements were false and fraudulent in that the said article had little or no ingredients capable of producing the curative and therapeutic effect claimed.

On February 2, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9688. Misbranding of Dr. Carey's Marsh Root. U. S. * * * v. 61 Bottles * * * of Dr. Carey's Marsh Root. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13772. I. S. No. 1441-t. S. No. C-2551.)

On January 29, 1921, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 61 bottles, more or less, of Dr. Carey's Marsh Root, consigned by the Carey Medical Corp., Rochester, N. Y., on or about August 24, 1920, remaining unsold in the original packages at Columbus, Ohio, alleging that the article had been shipped from Rochester, N. Y., and transported from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of salicylates, aromatic oils, sugar, glycerin, a trace of unidentified alkaloid, water, and alcohol.

It was alleged in substance in the libel that the article was misbranded in that by reason of the following statements appearing on the carton and bottle containing the said article and in an accompanying circular, to wit, (carton) " * * * The Marsh Root Prescription is indicated in the treatment of Bright's Disease (before casts are formed) Diabetes Kidney, Bladder and Urinary Troubles Disordered Liver, Stomach and Blood Diseases * * * this wonderful remedy * * * Is advocated for the treatment of Chronic and acute Kidney, Bladder Stomach, Liver and Urinary Diseases. * * *

restores impoverished blood to the rich, red condition of perfect health. Marsh Root removes the cause * * *," (circular) " * * * This wonderful remedy is a prescription used by Dr. Carey, with marvelous success, for many years in the treatment of Kidney and Bladder Troubles, Bright's Disease, and difficulties of the liver. * * * for the benefit of all sufferers from those dread diseases. * * * This splendid remedy has proven itself of great value in the treatment of Bright's Disease, Diabetes, all Urinary Troubles, Retention, Scanty, Stoppage, Too Frequent and Brickdust. Catarrh of the Bladder, Gravel and Gall Stones are positively relieved by this treatment. In cases of Spermatorrhoea, Debility and Seminal Weakness, Dr. Carey's Marsh Root will be found invaluable. * * * makes the blood rich, red and healthy. * * * all that is claimed for Dr. Carey's marvelous medicine, Marsh Root, is beyond any question of doubt. There are thousands alive to-day who would be in their graves, caused by the awful effect of Kidney and Bladder Trouble, if they had not used this wonderful medicine, Marsh Root. * * * Kidney diseases * * * Bladder Troubles * * * paralysis of the bladder. Diabetes * * * Uric Acid * * * eczema, or tetter Gravel * * * brickdust, sand or gravel * * * Bright's Disease * * * diseased condition of the ovaries * * * painful and unnatural menstruation. Marsh Root makes the kidneys strong and active and removes the uric acid which causes the pain, builds up the blood, increases its circulation, and regulates the monthly flow. Gravel or Stone in the Bladder * * * Marsh Root cures Gravel by dissolving the stones and deposits so that they are carried off with the urine. By making the kidneys and bladder strong and healthy they do not form again. Diabetes Sugar in the Urine * * * relief can be obtained much sooner if you procure Marsh Root to build up the digestive organs. * * * cured thousands of people * * * Backache, Weak Back, * * * Gout, Diabetes, Bright's Disease, Gravel, Irritation of the Bladder, Scalding of the Urine, Swelling of the Ankles, Dropsy, or some other form of Kidney or Urinary Trouble. Marsh Root has a direct and specific action in all forms of Kidney, Bladder and Urinary Trouble, giving the kidneys strength to cast off all poisonous matter from the blood, thus stopping the cause of all diseases of this nature. * * * best remedy known for Bed Wetting in children and old people," (bottle) "Dr. Daniel G. Carey's Marsh Root Prescription No. 777 For Kidney And Bladder Troubles Relieves Bladder and Urinary diseases, such as Inflammation of the bladder and urethra, cystitis and pain in the kidney region, loins and back; too frequent and copious or too scanty flow of Urine; that smarting burning sensation when urinating and will be found very beneficial in Renal Calculi or Stone in the Bladder. Prevents * * * bearing down sensation. Children wetting the bed, etc. * * *," the said article purported to be a cure for the above-quoted diseases, disorders, and symptoms, which statements were false and fraudulent in that the article had little or no ingredients capable of producing the curative and therapeutic effect claimed therefor.

On June 30, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9689. Misbranding of Pratts conditioner. U. S. * * * v. 21 Packages of Pratts Conditioner. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14413. I. S. No. 3407-t. S. No. C-2775.)

On February 5, 1921, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condem-

nation of 21 packages of Pratt's conditioner, remaining in the original unbroken packages at West Duluth, Minn., alleging that the article had been shipped by the Pratt Food Co., Chicago, Ill., May 2, 1918, and transported from the State of Illinois into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of ground plant material, salt, charcoal, sulphur, and a small amount of an iron compound.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding the curative and therapeutic effect thereof, (carton) " * * * aids in the prevention of Hog Cholera, * * * Assists in preventing sinking of Calves * * * insure healthy foal in mares and make stallions' service sure, * * * make the bulls' service sure * * * For Hog Cholera.—In case of hog cholera or any other sickness * * *," were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 22, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9690. Misbranding of E. W. Hall's Texas Wonder. U. S. * * * v. 132 Bottles, et al., of E. W. Hall's Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 9382, 11476, 11477, 11900, 12571, 12586. I. S. Nos. 10555-r, 8957-r, 8958-r, 8475-r, 9037-r, 9059-r. S. Nos. C-986, C-1557, C-1558, C-1699, C-1876, C-1885.)

On October 9, 1918, October 24, 1919, January 28, April 7, and April 15, 1920, respectively, the United States attorney for the Eastern District of Arkansas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district a number of libels, and on October 29, 1918, an amendment to the libel filed on the first date, praying the seizure and condemnation of approximately 377 bottles of E. W. Hall's Texas Wonder, in part at Little Rock and in part at Pine Bluff, Ark., consigned in part by E. W. Hall, St. Louis, Mo., consigned on or about the respective dates September 21, 1918, August 13 and September 17, 1919, and January 8, February 18, and March 17, 1920, alleging that the article had been shipped from St. Louis, Mo., and transported from the State of Missouri into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended. A portion of the article was labeled in part: (Carton) " * * * The Texas Wonder, for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children. * * * "; (circular) "Louis A. Portner * * * testified * * * he began using The Texas Wonder for stone in the kidneys * * * and tuberculosis of the kidneys * * * He was still using the medicine with wonderful results, and his weight had increased * * *." The remainder of the article was labeled in part: (Carton) " * * * A remedy For Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children * * * "; (circular headed "Read Carefully") " * * * The Texas Wonder, Hall's Great Discovery * * * In cases of gravel and rheumatic troubles it should be taken in 25-drop doses until relieved * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained copaiba, rhubarb, colchicum, gualiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements regarding the curative and therapeutic effect thereof, appearing in the labeling of the product, were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effect claimed. Misbranding was alleged in substance with respect to a portion of the article for the further reason that the name "Dr. E. W. Hall," appearing on the shipping case containing the article, was false, fraudulent, and misleading since E. W. Hall was not a physician.

On October 2, 1920, the cases having been consolidated into one proceeding and no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9691. Adulteration and misbranding of saccharin. U. S. * * * v. 2 Cans, 10 Pounds Each, and 14 Cans, 1 Pound Each, of Soluble Saccharine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9769. I. S. Nos. 6077-r, 6078-r. S. No. C-1078.)

On February 27, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 cans, 10 pounds each, and 14 cans, 1 pound each, of soluble saccharin, at Pine Bluff, Ark., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., October 3 and 23 (September 23), 1918, respectively, and transported from the State of Missouri into the State of Arkansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Soluble Saccharine."

Analysis of a sample of the article from each consignment, by the Bureau of Chemistry of this department, showed that it contained approximately 47 per cent of sugar.

Adulteration of the article was alleged in substance in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopeia, and differed from the standard of strength and quality as determined by the tests laid down therein, and for the further reason that its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding was alleged in substance for the reason that the statement in the labeling, "Soluble Saccharine," was false and misleading, and for the further reason that the said article was an imitation of, and was offered for sale under the name of, another article.

On October 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9692. Misbranding of pears. U. S. * * * v. E. R. Hayssen Co., a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 12804. I. S. No. 15167-r.)

On October 26, 1920, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the E. R. Hayssen Co., a corporation, Seneca Falls, N. Y., alleging shipment by said company, on or about September 29, 1919, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Pennsylvania, of a quantity of pears which were misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 23, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9693. Misbranding of Dr. Eells' Vitalizing blood purifier. U. S. * * * v. Elbert Payton (F. Eells & Son Co.). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 12811. I. S. No. 8689-r.)

On August 6, 1920, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Elbert Payton, trading as F. Eells & Sons Co., Centerville, Iowa, alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about April 28, 1919, from the State of Iowa into the State of Missouri, of a quantity of Dr. Eells' Vitalizing blood purifier, which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a hydroalcoholic solution consisting essentially of sugar, Epsom salt, emodin-bearing plant material, and traces of volatile oils, consisting of wintergreen and sassafras.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles and cartons containing the said article and in an accompanying circular, falsely and fraudulently represented it to be effective as a treatment, preventive, remedy, and cure for sick headache, dyspepsia, eruption of the skin, running ulcers, ringworm, rheumatism, scrofula, bilious disorders, diseases of the blood, stomach, liver, and bowels, palpitation of the heart, malaria, dizziness, despondency, female weakness, suppressed, irregular, and painful menstruation, leucorrhea, chronic erysipelas, old sores, sore eyes, goiter, all diseases of the glandular system, falling of the womb, inflammation of the vagina and womb, and gall stones, and effective to renovate the blood, when, in truth and in fact, it was not.

On March 8, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9694. Misbranding of The Texas Wonder. U. S. * * * v. 53 Bottles * * * of The Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12875. I. S. No. 9655-r. S. No. C-1961.)

On June 10, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 53 bottles of The Texas Wonder, remaining unsold at Cincinnati, Ohio, consigned by E. W. Hall, St. Louis, Mo., on or about May 21, 1920, alleging that the article had been shipped from St. Louis, Mo., and transported from the State of Missouri into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "The Texas Wonder * * * E. W. Hall, Sole Manufacturer, * * * St. Louis, Mo."; (carton) "A Remedy For Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children"; (circular) "Read Carefully * * * In cases of Gravel

and Rheumatic troubles it should be taken every night in 25-drop doses until relieved * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing on the cartons and in the circulars surrounding the bottles containing the article, regarding the curative and therapeutic effects thereof, were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed and in that it was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended.

On February 19, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9695. Adulteration and misbranding of rye middlings. U. S. * * * v. Shane Bros. & Wilson Co., a Corporation. Plea of guilty. Fine, \$5. (F. & D. No. 12882. I. S. No. 12154-r.)

On October 7, 1920, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Shane Bros. & Wilson Co., a corporation, Minneapolis, Minn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about May 29, 1919, from the State of Minnesota into the State of Indiana, of a quantity of rye middlings which were adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 15.78 per cent of protein and 3.58 per cent of ether extract (crude fat). Examination by said bureau showed the presence of unground screenings.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, unground screenings, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and strength and had been substituted in part for rye middlings, which the said article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Rye Middlings" and "Minimum Crude Protein 16.9% Minimum Crude Fat 4.1%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the said article consisted wholly of rye middlings and contained not less than 16.9 per cent of crude protein and not less than 4.1 per cent of crude fat, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of rye middlings and contained not less than 16.9 per cent of crude protein and not less than 4.1 per cent of crude fat, whereas, in truth and in fact, it did not consist wholly of rye middlings but did consist in part of unground screenings, and contained less than 16.9 per cent of crude protein and less than 4.1 per cent of crude fat, to wit, approximately 15.78 per cent of crude protein and 3.58 per cent of crude fat.

On October 7, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$5.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9696. Misbranding of LeSieur's Syrup of Tar and Cod Liver Extract. U. S. * * * v. Philias E. LeSieur (The Ocean Mills Co.). Plea of nolo contendere. Fine, \$25. (F. & D. No. 12885. I. S. No. 12891-r.)

On October 26, 1920, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Philias E. LeSieur, trading as the Ocean Mills Co., Boston, Mass., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about July 29, 1919, from the State of Massachusetts into the State of New Hampshire, of a quantity of LeSieur's Syrup of Tar and Cod Liver Extract which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained alcohol, by volume 1.92 per cent, chloroform, 2.45 minims per fluid ounce, menthol, oil of tar, ammonium salts, sugar, and water.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles containing the said article and in the accompanying wrappers, falsely and fraudulently represented it to be effective as a preventative, treatment, remedy, and cure for bronchitis, catarrh, whooping cough, croup, asthma, consumption at its first stage, and all diseases of the respiratory organs, when, in truth and in fact, it was not.

On November 10, 1920, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9697. Adulteration of coloring matter. U. S. * * * v. 2 Cans * * * of Coloring Matter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12895. I. S. No. 253-t. S. No. C-2063.)

On July 29, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 cans, more or less, of coloring matter, remaining unsold at Middletown, Ohio, consigned by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about July 3, 1920, alleging that the article had been shipped from St. Louis, Mo., and transported from the State of Missouri into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that sodium chlorid and sodium sulphate had been mixed and packed with, and substituted wholly or in part for, the said article, and for the further reason that it contained an added poisonous or deleterious ingredient [arsenic], which might render it injurious to health.

On February 19, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9698. Misbranding of cottonseed cake. U. S. * * * v. Dallas Peanut Feed Manufacturers, a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 12889. I. S. No. 11967-r.)

On August 20, 1920, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Dallas Peanut Feed Manufacturers, a corporation, Dallas, Tex., alleging shipment by said company, on or about October 24, 1918, in violation of the Food

and Drugs Act, as amended, from the State of Texas into the State of Kansas, of a quantity of unlabeled cottonseed cake which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 2, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9699. Misbranding of Diuretine and Bloodzone. U. S. * * * v. 40 Bottles * * * of Diuretine and 24 Bottles * * * of Bloodzone. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 13760, 13761. Inv. Nos. 23294, 23295. S. Nos. C-2542, C-2543.)

On October 9, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 40 bottles, more or less, of Diuretine and 24 bottles, more or less, of Bloodzone, at Lexa, Ark., alleging that the articles had been shipped by the East India Medicine Co., St. Louis, Mo., in part on or about June 29, 1920, and in part on or about July 28, 1920, and transported from the State of Missouri into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Diuretine consisted of potassium acetate, buchu extract, a laxative plant drug, oil of juniper berries, sugar, alcohol, and water; and that the Bloodzone consisted of extractives of plant drugs, including a laxative drug, sugar, alcohol, and water.

Misbranding of the articles was alleged in substance in the libel for the reason that there appeared upon the respective labels of the bottles containing the said articles and in the circulars inclosed with each of the said bottles the following statements regarding their curative and therapeutic effects, (Diuretine) (bottle) " * * * For all diseases of the Kidneys and Bladder. * * * Diseases For Which Use Diuretine Acute Bright's Disease, Inflammation of the Kidneys, Uremia, Uremic Convulsions, Gravel, Renal Colic, Lumbago or Pain in the Back, Inflammation of the Bladder, Catarrh of the Bladder, Rheumatism, Dropsy and Heart Disease. Daily Amount Of Urine * * * Any large amount of precipitation or settling indicates the use of Diuretine to prevent disease. * * *," (circular) " * * * Diuretine Is a positive cure for all diseases of the Kidneys and Bladder, Rheumatism and Heart Diseases. Diseases which Diuretine will Cure Acute Bright's Disease, Inflammation of the Kidneys, Uremia, Uremic Convulsions, Gravel, Renal Colic, Lumbago or Pain in the Back, Inflammation of the Bladder, Catarrh of the Bladder, Rheumatism and Heart Disease. Daily Amount of Urine * * * Any large amount of precipitation or settling indicates the use of Diuretine to prevent disease. Inflammation of the Kidneys * * * Bright's Disease * * * acute inflammation of the kidneys * * * The Treatment of Bright's Disease * * * Diuretine * * * Inflammation of the Bladder * * * Treatment of Inflammation of the Bladder * * * Diuretine * * * If you are sick and tired without being able to account for it, begin taking Diuretine as directed. Diuretine acts directly on the kidneys and will immediately assist nature in ridding your system of the poison which is beginning to show itself by your tired feeling, weak back, headache and loss of vim. Rheumatism Diuretine cures by cleansing the blood of all impurities through the kidneys. A tablespoonful every four hours will stop a threatening

attack at once. * * * For diseases of the Kidneys and Bladder * * * In private diseases the inflammation, if not controlled, works its way back into the bladder and through the tubes into the kidneys. 'Diuretine,' if taken in time, will stop the inflammation, and cure the disease * * * After the disease has extended into the bladder and kidneys, internal medicines alone are the only way to reach the seat of the disease. We have on file the names of hundreds of patients that have been cured in from one week to a month by the use of 'Diuretine.' * * * Diseases caused by indiscretion in early life leave inflammatory patches which keep up a source of irritation for years if not cured. This irritation causes backaches, inability to hold the urine, frequent desire to urinate which necessitates getting out of bed several times at night to make water, bearing down pains in the groins, and a general feeling of being unwell. In these conditions 'Diuretine' will effect a cure and make you feel like a new person within a short time. * * * Ten Thousand Cured During the Doctor's incumbency as Superintendent of Quarantine upward of ten thousand cases of smallpox and other contagious diseases were treated by him personally. In all blood diseases the kidneys bear the brunt of the trouble, by being called upon to eliminate or dispose of the poison generated in the system. By assisting nature in disposing of this poison the Doctor attributes his success in these cases. Under the trade name of 'Diuretine' will be found this great Kidney and Bladder medicine, which the Doctor has proven curative in thousands of cases without one single failure. Not an Experiment * * * (Bloodzone) (bottle) " * * * Blood Purifier * * * Scrofula, Syphilis, Cancer, Rheumatism, Catarrh, Malaria Poisoning, Chronic Ulcers, Boils, Carbuncles, Eczema, Tetter, Acne Psoriasis, Salt Rheum, Pimples and Eruptions. Will be found beneficial in convalescence from Scarlet Fever, Diphtheria, Measles, Small Pox, Pneumonia or any disease which impoverishes the blood. * * * How The Poison Is Disposed Of Bloodzone eliminates poison from the system by working on the kidneys, liver and bowels and the pores of the skin. If after a few days' treatment sores or ulcers look inflamed and discharge matter, it is because the poison is being forced out. After all of the poison has thus been eliminated the sore or ulcer will heal of its own accord. Enough of Bloodzone should be taken to keep up a free discharge of this poison. If the discharge is too severe, diminish the dose and regulate it accordingly," (circular) " * * * Leprosy Cured * * * Syphilis * * * We treat your case intelligently and insure a cure. * * * Scrofula * * * Nothing better could be taken for this condition than a course of treatment with Bloodzone as directed. Eczema * * * Acne or Pimples * * * How the Poison is Disposed of Bloodzone eliminates poison from the system by working on the kidneys, liver and bowels and the pores of the skin. If after a few days' treatment sores or ulcers look inflamed and discharge matter, it is because the poison is being forced out. After all of the poison has thus been eliminated the sore or ulcer will heal of its own accord. Enough of Bloodzone should be taken to keep up a free discharge of this poison up to a point of irritation. If you find the discharge too severe, diminish the dose and regulate it accordingly. Many cases where the kidneys and bowels are active are not troubled in this way as these organs carry off all the poison, therefore, while the action of Bloodzone will not be the same in all cases alike the results will be found equally beneficial in all events. * * * leper * * * cured by the use of Bloodzone. * * * Leprosy * * * Cured. * * * Bloodzone Cures Scrofula, Syphilis, Cancer, Rheumatism, Catarrh, Malaria Poisoning, Chronic Ulcers, Boils, Carbuncles, Eczema, Tetter, Acne Psoriasis, Salt Rheum, Pimples and Eruptions. Will be found beneficial in convalescence from

Scarlet Fever, Diphtheria, Measles, Small Pox, Pneumonia or any disease which impoverishes the blood. * * * A cure which Astounded the World * * * a case of Leprosy * * * Within the Reach of All Under the trade name of 'Bloodzone,' the Doctor has prepared the formula used in the cure of this case of Leprosy; experimenting, and working it over to make it applicable to all forms of skin diseases. * * * this wonderful blood medicine. * * * Blood Purifier * * * 'Philipine Itch' * * * completely cured * * * 'Scabies' * * * Bloodzone for the Blood. * * * safest, surest and best blood purifier on the market today. Thousands of people * * * cured of blood diseases, horrible in form, by this formula * * * Its greatest triumph was in the cure of leprosy, which shows the remarkable curative powers of this wonderful vegetable preparation. * * * specific for all blood troubles, * * * will * * * strengthen the tired nervous centers * * * a running ear. * * * after taking one bottle, the ear had stopped running. * * * now completely cured. * * * Diseases of Women * * * brought about from one or several causes, mainly Leucorrhoea or the whites, lacerations or tears in the neck of the womb, which keeps up a continual irritation, producing inflammation, ulceration, pain during the menstrual period, continual menstrual flow, and everlasting bearing down pains, especially while standing. Bloodzone, coming from vegetable drugs which have been proven by years of experience to act directly upon the female organs of generation, such as the womb, ovaries, tubes, etc., will tone up the lax condition of these organs and effect a cure if used as directed. * * * Chronic or Nasal Catarrh. * * * invaluable in this disease * * * Taken as directed it will not fail. Rheumatism * * * Bloodzone will restore * * * to * * * normal condition and effect a cure," all of which statements were false and fraudulent for the reason that the said articles contained no ingredients or combination of ingredients capable of producing the effects claimed.

On March 15, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9700. Misbranding of Mendenhall's Number 40. U. S. * * * v. 9 Dozen Bottles of Mendenhall's Number 40. Decree of condemnation, forfeiture, and destruction. (F. & D. No. 13005. I. S. No. 10351-t. S. No. W-629.)

On July 8, 1920, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 dozen bottles of Mendenhall's Number 40, at Tucson, Ariz., alleging that the article had been shipped by the J. C. Mendenhall Medicine Co., Evansville, Ind., on or about April 19, 1920, and transported from the State of Indiana into the State of Arizona, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained potassium iodid, ammonia, salicylates, licorice, glycerin, sugar, alcohol, plant extractives, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding the curative and therapeutic effect thereof, appearing on the carton containing the article and in an accompanying circular, (carton) "Mendenhall's Number 40 For the Blood * * * purifying the blood * * * blood medicine * * * used * * * with success

in Chronic Rheumatism and Catarrh, scrofulous swellings, sores, ulcers and skin diseases, in chronic constipation, malaria, indigestion, * * * jaundice, and as a general blood purifier and system renovator * * * rheumatism, catarrh and stomach trouble * * *," (circular) "Mendenhall's Number 40 For the Blood * * * chronic rheumatism and catarrh, scrofulous swellings, sores, ulcers, pimples and skin diseases, stomach and liver troubles and all blood diseases. * * * malaria, jaundice, and in all diseases of the stomach, liver and digestive organs. * * * a general blood purifier and system renovator * * * a great medicine for the blood, stomach, liver, kidneys and spleen. * * * Cured of rheumatism. * * * Malaria, Fever and Bad Blood Cured By Number 40. * * * Dropsical Swellings Reduced, Rheumatism and Stomach Trouble Cured. * * * Running Sores Of Long Standing Cured By Number 40 * * * I suffered for five years with running sores from blood poison of long standing. * * * advised * * * to try 'Number 40 For The Blood,' * * * was completely cured with five bottles * * * Persons suffering with blood poison in any form should not delay but get 'Number 40' at once. * * *," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

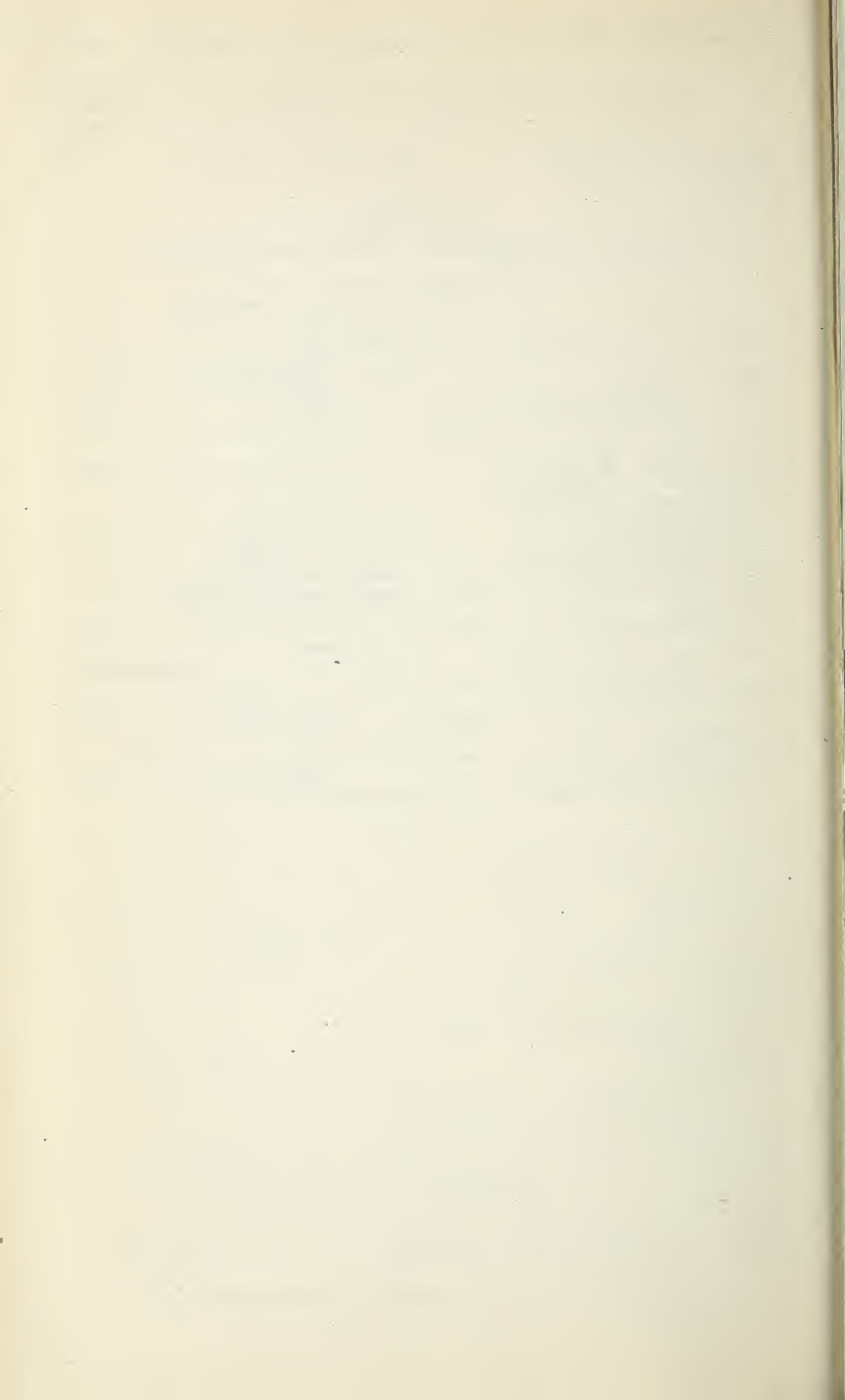
On July 30, 1920, the J. C. Mendenhall Medicine Co., Evansville, Ind., filed its claim and answer to the libel consenting to a decree of condemnation and forfeiture and praying the release of the product upon payment of the costs of the proceedings and the execution of a satisfactory bond, in conformity with section 10 of the act. On February 8, 1921, the case having come on for final disposition, no appearance was entered by the claimant, and no bond having been filed as requested by it, judgment was entered finding the product to be misbranded, and it was ordered by the court that it be destroyed by the United States marshal and that the costs be assessed against the claimant and the firm in whose possession the goods were found.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

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Pennyroyal, tansy, cotton root, and		Fay & Young's Rubber Corp--	9669
apiol tablets. <i>See</i> Tablets.		tansy, cotton root, pennyroyal,	
Peppermint extract. <i>See</i> Extract.		and apiol:	
flavor. <i>See</i> Extract.		Pierce, Robert J-----	9687
Pepso-Laxatone:		Tansy pills. <i>See</i> Pills.	
Burlingame Chemical Co--	9661	tablets. <i>See</i> Tablets.	
Pierce's, Robert J., tablets:		Tansy, cotton root, pennyroyal, and	
Pierce, Robert J-----	9687	apiol tablets. <i>See</i> Tablets.	
Pills, female:		Tar, sirup of, and cod liver extract:	
McCullough Drug Co-----	9665	Ocean Mills Co-----	9696
nerve:		Texas Wonder:	
Chase, Dr. A. W., Medicine		Hall, E. W-----	9680, 9690, 9694
Co-----	9666	Vinegar:	
Nux-Auro-Papanad:		Banner Vinegar Co-----	9681
-----	9668	Powell Corp-----	9657
sexual:		Water, mineral:	
Pfeiffer, S., Mfg. Co-----	9667	Craig Healing Springs	
tansy:		Hotels-----	9655
Lichty, Norman, Mfg. Co--	9675	Wintergreen flavor. <i>See</i> Extract.	



United States Department of Agriculture,

BUREAU OF CHEMISTRY.

W. G. CAMPBELL, Acting Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 9701-9750.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., December 29, 1921.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

9701. Misbranding of Hall's Texas Wonder. U. S. * * * v. 3 Dozen Bottles * * * of The Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13099. I. S. No. 1727-t. S. No. C-2052.)

On July 22, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles, more or less, of Hall's Texas Wonder, remaining unsold at Cincinnati, Ohio, consigned by E. W. Hall, St. Louis, Mo., on or about July 15, 1920, alleging that the article had been shipped from St. Louis, Mo., and transported from the State of Missouri into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) " * * * Recommended For Kidney and Bladder Troubles When Operation Not Required. Weak or Lame Backs. Rheumatism, Gravel and Bladder Troubles in Children"; (circular) "Read Carefully * * * In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, oil of turpentine, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the circular surrounding the bottles and on the cartons containing the said article, regarding the curative and therapeutic effects thereof, were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed and in that it was insufficient of itself for the suc-

cessful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the said statements.

On February 19, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9702. Misbranding of Dr. A. W. Chase's nerve pills. U. S. * * * v. 12 Dozen, 18 Dozen, and 24 Dozen Packages * * * of Dr. A. W. Chase's Nerve Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13216, 13217, 13259. I. S. Nos. 484-t, 1734-t, 1744-t. S. Nos. C-2085, C-2086, C-2129.)

On August 14, 1920, the United States attorney for the Southern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 12 dozen, 18 dozen, and 24 dozen packages of Dr. A. W. Chase's nerve pills, remaining unsold at Cincinnati, Ohio, consigned by the Dr. A. W. Chase Medicine Co., Buffalo, N. Y., June 7, June 12, and March 27, 1920, respectively, alleging that the article had been shipped from Buffalo, N. Y., and transported from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Label) "Used In The Treatment Of * * * Nervous Prostration * * * Nervous Headache Nervous Dyspepsia * * * Irregular Heart Action Dizziness & Fainting Sleeplessness"; (circular) "* * * Nerve Pills impart new life and strength to every organ of the body, create new brain and nerve tissue, and make it next to impossible for the following diseases and symptoms of diseases to set in: Nervous prostration, exhaustion, depression, * * * sleeplessness, * * * lack of energy, ambition and nerve force, paralysis, and locomotor ataxia; * * * diseased blood, * * * female troubles, * * * leucorrhea (whites), painful, profuse or suppressed menstruation, tardy development of girls, sexual debility, loss of vital forces, premature decay, heart affections, neuralgia, rheumatism, la grippe, and all diseases of the brain and nerves. * * * On account of their extraordinary restorative influence and * * * action on the system. * * * Nerve Pills are especially suited to the needs of children. * * * weak and puny boys and girls become strong, healthy and robust. * * * nourish the blood and nerves * * * nourish the weakened and exhausted nervous system back to health and strength, * * * through the nerve fibres * * * send new vitality through the whole human system. * * * nerves * * * must be completely restored by such nourishment as can best be supplied by * * * Nerve Pills, the great restorative * * * loss of sensation in the hands, partial loss of memory * * * dizziness and uncertainty in walking. * * * should be treated * * * while there is hope of complete recovery. * * * Nerve Pills * * * restore the wasted nerve force, * * * by strengthening the nerves give them full control of the female organs. * * * no preparation known * * * will more quickly create new, rich blood than * * * Nerve Pills. * * * contain the life-giving principles that entitle the blood to be called the 'vital fluid' * * * make pale weak men and women strong and healthy. * * * give to the thin and emaciated a well rounded form which tells of a steady advance in health * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes, ferrous carbonate, a manganese salt, strychnine, and arsenic.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements regarding the curative or therapeutic effect of the said article were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the effects claimed and in that it was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the said statements.

On February 19, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9703. Misbranding of Robert J. Pierce's tansy, cotton root, pennyroyal, and apiol tablets. U. S. * * * v. 50 Packages and 1 Gross Boxes of * * * Robert J. Pierce's * * * Tansy, Cotton Root, Pennyroyal, and Apiol Tablets. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13346, 13472. I. S. Nos. 10109-t, 10113-t. S. Nos. W-682, W-699.)

On August 17 and 21, 1920, respectively, the United States attorney for the Western District of Washington, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 50 packages and 1 gross boxes of Robert J. Pierce's Empress Brand tansy, cotton root, pennyroyal, and apiol tablets, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped on or about June 2, 1919, and March 17, 1920, respectively, in part by Robert J. Pierce, Inc., New York, N. Y., and transported from the State of New York into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box label) " * * * Tansy, Cotton Root, Pennyroyal and Apiol Tablets. A Safe Emmenagogue, Always Reliable And Effective. The Best Known Remedy For The Suppression Of The Menstrual Function"; (circular) " * * * Tansy, Cotton Root, Pennyroyal and Apiol Tablets * * * The Celebrated Female Regulator * * * Delayed Menstruations. When the suppression is of long standing. * * * take one * * * until four days before the time when the menses should appear, * * * immediately preceding the expected appearance of the menstrual flow, active treatment should begin. Take one tablet three times daily, * * * follow * * * instructions * * * until the desired result is obtained. * * * Irregularities. Where the menses are not regular, * * * are invaluable. Take * * * before the expected appearance of the menstrual period."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained aloes, ferrous sulphate, pennyroyal, and unidentified vegetable substance.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements appearing in the labeling, regarding the curative and therapeutic effect thereof, were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 29, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9704. Misbranding of Madame Dean female pills. U. S. * * * v. 1 Dozen Packages and 6 Packages * * * of * * * Madame Dean Female Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13263, 13481. I. S. Nos. 480-t, 12387-t. S. Nos. C-2144, C-2293.)

On August 14 and September 2, 1920, respectively, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 1 dozen packages and 6 packages, more or less, of Madame Dean female pills, remaining unsold in the original packages at Cincinnati and Columbus, Ohio, respectively, consigned by Martin Rudy, Lancaster, Pa., on or about May 24, 1920, and August 20, 1919, respectively, alleging that the article had been shipped from Lancaster, Pa., and transported from the State of Pennsylvania into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of quinine, aloes, ferrous sulphate, senecio flowers and herb, ginger root, and cornstarch.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements appearing on the box label and in the accompanying wrapper, booklet, and circular, (box label and wrapper) " * * * Female Pills * * * give relief in Female Disorders of the menstrual functions. * * * for Painful, Irregular, and Scanty Menstruation." (booklet) " * * * irregular, prolonged, or suppressed menstruation. * * * Female Pills afford relief for these ailments. * * * a remedy intended solely for the relief of Amenorrhoea, Dysmenorrhoea, scanty and irregular menstruation, and other derangements of the reproductive system, * * * especially valuable in the functional changes * * * of the menopause or change of life. * * * act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation, and assist in re-establishing or restoring, the menstrual or monthly periods. * * * strengthen and build up the uterine function," (circular) " * * * a great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel, * * * for irregular, painful, scanty or suppressed menstruations, * * * should be taken * * * to assist nature with * * * disorders * * * during the change of life period. * * * Continue with the treatment until they give relief. * * * great relief from Pains or Headache; for suppressed Menstruation, * * * continue their use until relieved * * * take * * * until the menstrual flow commences again * * *," were false and fraudulent in that the said article contained no ingredients or combination of ingredients capable of producing the therapeutic effects claimed and in that it was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the above-quoted statements in and upon said packages.

On February 12 and 19, 1921, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9705. Misbranding of Madame Dean female pills. U. S. * * * v. 6 Dozen Packages and 12 Dozen Packages of * * * Madame Dean Female Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13469, 13577. I. S. Nos. 10116-t, 10121-t. S. Nos. W-698, W-725.)

On August 23 and 24, 1920, respectively, the United States attorney for the Western District of Washington, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 6 dozen and 12 dozen packages of Madame Dean female pills, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on or about April 21, 1919, and April 15, 1920, respectively, and transported from the State of Pennsylvania into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box label and wrapper) "Female Pills * * * give relief in Female Disorders of the menstrual functions. * * * for Painful, Irregular and Scanty Menstruation"; (booklet) "* * * irregular, prolonged, or suppressed menstruation. * * * Female Pills afford relief for these ailments. * * * A remedy intended solely for the relief of Amenorrhoea, Dysmenorrhoea, scanty and irregular menstruation, and other derangements of the reproductive system. * * * especially valuable in the functional changes * * * of the menopause or change of life. * * * act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation, and assist in re-establishing or restoring, the menstrual or monthly periods. * * * strengthen and build up the uterine functions"; (circular) "* * * a great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel, * * * for irregular, painful, scanty or suppressed menstruations. * * * should be taken * * * to assist nature with * * * disorders * * * during the change of life period. * * * Continue with the treatment until they give relief. * * * great relief from Pains or Headache; * * * for suppressed Menstruation, * * * continue their use until relieved * * * take * * * until the menstrual flow commences again."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of quinine, aloes, ferrous sulphate, hydrastis, ginger, and cornstarch.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements appearing in the labeling, regarding the curative and therapeutic effects thereof, were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 29, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9706. Misbranding of Madame Dean female pills. U. S. * * * v. 11 Packages of Madame Dean Female Pills. Default decree ordering the destruction of the product. (F. & D. No. 13675. I. S. No. 8947-t. S. No. E-2741.)

On September 17, 1920, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and

condemnation of 11 packages of Madame Dean female pills, remaining in the original unbroken packages at Norfolk, Va., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on or about December 9, 1919, and transported from the State of Pennsylvania into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of quinine, aloes, ferrous sulphate, senecio flowers and herb, ginger root, and cornstarch.

Misbranding of the article was alleged in substance in the libel for the reason that the box label, wrapper, booklet, and circulars accompanying the said article bore the following statements regarding the curative and therapeutic effect thereof, (box label and wrapper) "Female Pills * * * give relief in Female Disorders of the menstrual functions. * * * for Painful, Irregular and Scanty Menstruation,* (booklet) " * * * irregular, prolonged, or suppressed menstruation. * * * Female Pills afford relief for these ailments. * * * a remedy intended solely for the relief of Amenorrhoea, Dysmenorrhoea, scanty and irregular menstruation, and other derangements of the reproductive system, * * * especially valuable in the functional changes * * * of the menopause or change of life. * * * act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation, and assist in reestablishing or restoring, the menstrual or monthly periods. * * * strengthen and build up the uterine function," (circular) " * * * a great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel, * * * for irregular, painful, scanty or suppressed menstruations, * * * should be taken * * * to assist nature with * * * disorders * * * during the change of life period. * * * Continue with the treatment until they give relief. * * * great relief from Pains or Headache; * * * for suppressed Menstruation, * * * continue their use until relieved * * * take * * * until the menstrual flow commences again * * *," which statements were false and fraudulent in that the said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On September 9, 1921, no claimant having appeared for the property, judgment of the court was entered ordering the destruction of the product by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9707. Misbranding of M. I. S. T. No. 2 nerve tonic. U. S. * * * v. 12 Dozen Packages * * * of M. I. S. T. No. 2 Nerve Tonic. Decree of condemnation and forfeiture permitting product to be released under bond. (F. & D. No. 13821. I. S. No. 10385-t. S. No. W-783.)

On October 28, 1920, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 dozen packages, each containing 30 capsules, of M. I. S. T. No. 2 nerve tonic, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the M. I. S. T. Co., Toledo, Ohio, on or about August 10, August 17, and September 30, 1920, respectively, and transported from the State of Ohio into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the capsules consisted essentially of aloes, calomel, a laxative plant drug, and a small amount of methyl salicylate.

Misbranding of the article was alleged in substance in the libel for the reason that it was labeled in part on the packages and in the accompanying wrapper and circular as follows, (package and wrapper) "M. I. S. T. * * * Nerve * * *," (circular) "For Blood Diseases * * * for Syphilis or Venereal Diseases, Dropsy, Gout, Rheumatism, Tumors, Ulcers, Scrofula, Swellings, Ulcerated Sore Throat, Erysipelas, Cancer or Cancerous Tumors and Inflammation of the Bladder, Stricture and Varicocele * * * for Nervous Diseases * * * M. I. S. T. No. 2 * * * an aid in the treatment of Nervous Diseases * * *," which statements were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On August 17, 1921, the M. I. S. T. Co., Toledo, Ohio, having entered an appearance as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that the product be relabeled in a manner satisfactory to this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9708. Adulteration of tomato catsup. U. S. * * * v. 750 Cases of Tomato Catsup * * *. Decree of condemnation and forfeiture. Product ordered released under bond for destruction, the containers to be retained by claimant. (F. & D. No. 13858. I. S. No. 10142-t. S. No. W-787.)

On November 12, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 750 cases of tomato catsup, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the T. A. Snider Preserve Co., from Mount Carmel, Ill., September 14, 1920, and transported from the State of Illinois into the State of Washington, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Snider's Tomato Catsup * * * Manufactured by the T. A. Snider Preserve Company, Chicago, U. S. * * *."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy and decomposed vegetable substance.

On December 7, 1920, Spohn and Russell having entered an appearance as claimant for the property, judgment was entered ordering that upon payment of the costs of the proceedings and the execution of a bond in the sum of \$4,000, in conformity with section 10 of the act, the product be released to said claimant to be shipped to Mount Carmel, Ill., for the purpose of destruction, and that the bottles or containers remain the property of the claimant.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9709. Adulteration and misbranding of Hol-Gin and Mexicola Hot. U. S. * * * v. 16 Gallons * * * of Hol-Gin and 16 Gallons * * * of Mexicola Hot. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14173, 14174. Inv. Nos. 27351, 27353. S. Nos. C-2683, C-2684.)

On January 24, 1921, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 16 gallons of Hol-Gin and 16 gallons of Mexicola Hot, the former at Grady, Ark., and the latter at Lake Village, Ark., alleging that the articles had been shipped on or about December 9 and 7, 1920, respectively, by the Red Cross Mfg. Co., St. Louis, Mo., and transported from the State of Mis-

souri into the State of Arkansas, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the articles was alleged in substance in the libels for the reason that they contained saccharin, which had been mixed and packed with, and substituted wholly or in part for, the articles; for the further reason that they had been mixed and packed in a manner whereby damage or inferiority was concealed; and for the further reason that they contained an added poisonous and deleterious ingredient, saccharin, which might render them injurious to health.

Misbranding was alleged for the reason that the statement on the labels, "Contents of this package guaranteed to comply with all laws," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the articles were food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On March 15 and April 26, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal:

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9710. Adulteration and misbranding of gelatin. U. S. * * * v. 100 Pounds of Alleged Gelatin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13055. I. S. No. 16845-r. S. No. E-2445.)

On July 20, 1920, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 pounds of alleged gelatin, remaining unsold in the original unbroken packages at Huntingdon, Pa., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about June 12, 1920, and transported from the State of Missouri into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, (barrel) "Net 100 Lbs. Pure Food Gelatine."

Adulteration of the article was alleged in the libel for the reason that glue had been mixed and packed therewith so as to reduce and lower and injuriously affect the quality and strength thereof and had been substituted wholly or in part for gelatin. Adulteration was alleged for the further reason that the said article contained added poisonous or deleterious ingredients, to wit, zinc and copper, which might render it injurious to health.

Misbranding was alleged for the reason that the statement "Pure Food Gelatine" was false and misleading and deceived and misled intending purchasers, and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, gelatin.

On February 24, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9711. Misbranding of Hall's Texas Wonder. U. S. * * * v. 4 Dozen Bottles of * * * Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13056. I. S. No. 9543-r. S. No. C-2042.)

On or about July 24, 1920, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure

and condemnation of 4 dozen bottles of Hall's Texas Wonder, remaining unsold in the original unbroken packages at Selma, Ala., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., March 24 [4], 1920, and transported from the State of Missouri into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) " * * * A Remedy for Kidney and Bladder Troubles. Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children "; (circular headed "Read Carefully") " * * * In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, oil of turpentine, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements appearing in the labeling, regarding the curative and therapeutic effects thereof, were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 29, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9712. Misbranding of Dr. Burkhart's vegetable compound. U. S. * * * v. 209 Packages of Dr. Burkhart's Vegetable Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13067. I. S. Nos. 7803-t, 7804-t, 7805-t. S. No. E-2452.)

On July 20, 1920, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 209 packages, consisting of 126 packages, 25-cent size, 51 packages, 50-cent size, and 32 packages, \$1 size, of Dr. Burkhart's vegetable compound, remaining in the original unbroken packages at Harrisburg, Pa., alleging that the article had been shipped by Dr. W. S. Burkhart, Cincinnati, Ohio, on or about May 6, 1920, and transported from the State of Ohio into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton, 25-cent and 50-cent sizes) " * * * Recommended for Kidney and Liver Disease, Fever and Ague, Rheumatism, Sick and Nervous Headache, Erysipelas, Scrofula, Female Complaints, Catarrh, Indigestion, Neuralgia, Nervous Affection, Dyspepsia, * * * and all Syphilitic Diseases "; (carton, \$1 size) " Recommended for Blood Diseases, such as Rheumatism, Kidney and Liver Diseases, Fever and Ague, Sick and Nervous Headache, Erysipelas, Scrofula, Female Complaints, Catarrh * * * Indigestion, Neuralgia, Nervous Affection, Dyspepsia."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained plant extractives, including aloes, resins, and capsicum.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effect thereof were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 27, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9713. Misbranding of Dr. Burkhart's vegetable compound. U. S. * * * v. 179 Packages of Dr. Burkhart's Vegetable Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13068. I. S. Nos. 5676-t, 5677-t, 5678-t. S. No. E-2451.)

On July 20, 1920, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 179 packages of Dr. Burkhart's vegetable compound, remaining unsold in the original unbroken packages at Buffalo, N. Y., consigned by Dr. W. S. Burkhart, Cincinnati, Ohio, alleging that the article had been shipped from Cincinnati, Ohio, on or about June 22, 1920, and transported from the State of Ohio into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained plant extractives, including aloes, resins, and capsicum.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing in the labeling, to wit, (carton, 25-cent and 50-cent sizes) "Recommended for Kidney and Liver Disease, Fever and Ague, Rheumatism, Sick and Nervous Headache, Erysipelas, Scrofula, Female Complaints, Catarrh, Indigestion, Neuralgia, Nervous Affection, Dyspepsia, * * * and all Syphilitic Diseases," (carton, \$1 size) "Recommended for Blood Diseases, such as Rheumatism, Kidney and Liver Diseases, Fever and Ague, Sick and Nervous Headaches, Erysipelas, Scrofula, Female Complaints, Catarrh * * * Indigestion, Neuralgia, Nervous Affection, Dyspepsia," regarding the curative and therapeutic effects thereof, were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 18, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9714. Misbranding of Dr. Burkhart's vegetable compound. U. S. * * * v. 428 * * * Packages, 68 * * * Packages, 284 * * * Packages, and 10 * * * Packages of Dr. Burkhart's Vegetable Compound. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13069, 13070. I. S. Nos. 5876-t, 5877-t, 5878-t, 5879-t. S. Nos. E-2449, E-2450.)

On July 22, 1920, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 428 packages, 25-cent size, 68 packages, 50-cent size, 284 packages, 25-cent size, and 10 packages, \$1 size, of Dr. Burkhart's vegetable compound, at Pittsburgh, Pa., consigned by Dr. W. S. Burkhart, Cincinnati, Ohio, alleging that the article had been shipped from Cincinnati, Ohio, July 8 and June 23, 1920, and transported from the State of Ohio into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton, 25-cent and 50-cent sizes) "* * * * Recommended for Kidney and Liver Disease, Fever and Ague, Rheumatism, Sick and Nervous Headache, Erysipelas, Scrofula, Female Complaints, Catarrh, Indigestion, Neuralgia, Nervous Affection, Dyspepsia, * * * and all Syphilitic Diseases"; (carton, \$1 size) "* * * * Recommended for Blood Diseases, such as Rheumatism, Kidney and Liver Diseases, Fever and Ague, Sick and Nervous Headache, Erysipelas, Scrofula, Female Complaints, Catarrh * * * Indigestion, Neuralgia, Nervous Affection, Dyspepsia."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained plant extractives, including aloes, resins, and capsicum.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements regarding the therapeutic or curative effects thereof, appearing in the labeling, were false and fraudulent in that they were applied to the said article so as to represent falsely and fraudulently, and to create in the minds of the purchasers thereof the impression and belief, that the product contained in all the said packages was effective as a remedy for kidney and liver diseases, fever and ague, rheumatism, sick and nervous headache, erysipelas, scrofula, female complaints, catarrh, indigestion, neuralgia, nervous affection, and dyspepsia, and that the product contained in the 25-cent and 50-cent size packages was further effective as a remedy for all syphilitic diseases, when, in truth and in fact, the said article contained no ingredient or combination of ingredients capable of producing the said effects.

On April 20, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9715. Misbranding of tankage. U. S. * * * v. Edward J. Butler, John Jonas, and Charles Rosted (Edward J. Butler & Co.). Pleas of guilty. Fine, \$100 and costs. (F. & D. No. 13076. I. S. No. 12476-r.)

On February 7, 1921, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Edward J. Butler, John Jonas, and Charles Rosted, copartners, trading as Edward J. Butler & Co., Chicago, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about July 30, 1919, from the State of Illinois into the State of Ohio, of a quantity of Butler's Premium digester tankage which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 53.33 per cent of protein.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis Protein 60%," borne on the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the said article contained not less than 60 per cent of protein, and for the further reason that the said article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 60 per cent of protein, whereas, in truth and in fact, it did contain less than 60 per cent of protein, to wit, approximately 53.33 per cent.

On May 5, 1921, pleas of guilty to the information were entered by the defendants, and on July 1, 1921, the court imposed a fine of \$100 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9716. Adulteration of Robinson spring water. U. S. * * * v. Charles L. Bradley. Plea of guilty. Fine, \$25. (F. & D. No. 13078. I. S. No. 5999-r.)

On January 21, 1921, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles L. Bradley, Pochahontas, Miss., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about November 27, 1918, from the State of Mississippi into the State of Louisiana, of a quantity of Robinson spring water which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained *B. coli* in small quantities.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy and decomposed animal or vegetable substance.

On March 26, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9717. Misbranding of Zerbst's cough sirup. U. S. * * * v. Zerbst Pharmaceutical Co., a Corporation. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 13086. I. S. No. 8095-r.)

On December 8, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Zerbst Pharmaceutical Co., a corporation, St. Joseph, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about December 11, 1918, from the State of Missouri into the State of Kansas, of a quantity of Zerbst's cough sirup which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a caramel-colored sirupy liquid, containing sugar, water, alcohol, chloroform, licorice, and other plant principles, and small amounts of tartar emetic, morphine, hyoscyamine, and a magnesium salt.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels and cartons containing the said article, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for asthma, croup, whooping cough, bronchitis, sore throat, inflammation of the lungs and throat, difficulty of breathing, and all other diseases of the throat and lungs, when, in truth and in fact, it was not.

On March 7, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9718. Misbranding of cottonseed cake. U. S. * * * v. International Vegetable Oil Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 13091. I. S. No. 11975-r.)

On February 4, 1920, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the International Vegetable Oil Co., a corporation, trading at Houston, Tex., alleging shipment by said company, on or about November 2, 1918, in violation of the Food and Drugs Act, from the State of Texas into the State of Kansas, of a quantity of cottonseed cake which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 36.80 per cent of protein and 15.39 per cent of crude fiber.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis Protein Not Less than 41 per cent * * * Crude Fibre Not More than 14 per cent," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that the said statement represented that the article contained not less than 41 per cent of

protein and not more than 14 per cent of crude fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 41 per cent of protein and not more than 14 per cent of crude fiber, whereas, in truth and in fact, it contained less than 41 per cent of protein and more than 14 per cent of crude fiber, to wit, 36.80 per cent of protein and 15.39 per cent of crude fiber.

On February 28, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9719. Misbranding of shorts. U. S. * * * v. George W. Hoyland Flour Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 13092. I. S. No. 8340-r.)

On December 16, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the George W. Hoyland Flour Co., a corporation, Kansas City, Mo., alleging shipment by said company, on or about September 13, 1919, in violation of the Food and Drugs Act, as amended, from the State of Missouri into the State of Tennessee, of a quantity of unlabeled shorts which were misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 23, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9720. Adulteration and misbranding of cocoa. U. S. * * * v. 73 Cases of $\frac{1}{2}$ -Pound and 188 Cases of $\frac{1}{5}$ -Pound Packages of Cocoa. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11062. I. S. Nos. 6722-r, 6723-r, 6724-r, 6725-r. S. No. C-1408.)

On August 11, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 73 cases, each containing 24 one-half pound packages, and 188 cases, each containing 50 one-fifth pound packages, of cocoa, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the National Cocoa Mills, New York, N. Y., on or about March 8, 1919, and transported from the State of New York into the State of Louisiana, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Packages) "My Own Pure Cocoa. Net Weight $\frac{1}{2}$ Lb." (or " $\frac{1}{5}$ Lb.") * * * The Cocoa contained in this package is Positively High Grade and guaranteed by the manufacturers to comply with all Federal and State Food Laws. It is a breakfast cocoa of Superior Quality and Excellence * * * Absolutely Pure No Alkalis No Chemicals * * *," (inconspicuously stamped on side panel) "My Own Cocoa Compound Containing Cocoa, Sugar, Corn Starch."

Adulteration of the article was alleged in substance in the libel for the reason that substances, to wit, starch and sugar, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article was mixed in a manner whereby its inferiority to genuine cocoa was concealed.

Misbranding was alleged for the reason that the statement, "My Own Pure Cocoa," contained on the labels of the retail packages, not sufficiently corrected by the inconspicuous statement, "My Own Cocoa Compound Containing Cocoa, Sugar, Corn Starch," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the said article was an imitation of, and was offered for sale under the distinctive name of, another article.

On August 31, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9721. Misbranding of cottonseed meal. U. S. * * * v. 150 Sacks of Cottonseed Meal. Decree ordering release of product under bond. (F. & D. No. 12454. I. S. No. 17587-r. S. No. E-2134.)

On June 2, 1920, the United States attorney for the Northern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 150 sacks of cottonseed meal, remaining in the original packages at Tallahassee, Fla., alleging that the article had been shipped by the Central Oil Co., Macon, Ga., May 13, 1920, and transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Sacks) " * * * Good Cottonseed Meal. Guaranteed Analysis Ammonia 7% Protein 36% * * *."

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the labels of the sacks containing the said article were false and misleading in that the article did not contain the substances set forth in said labels.

On September 30, 1920, the Central Oil Co., Macon, Ga., having entered an appearance as claimant for the property, it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$150, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9722. Adulteration and misbranding of cottonseed meal. U. S. * * * v. 107 Sacks of Cottonseed Meal. Decree ordering release of the product under bond. (F. & D. No. 12458. I. S. No. 17588-r. S. No. E-2163.)

On June 2, 1920, the United States attorney for the Northern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 107 sacks of cottonseed meal, remaining in the original packages at Perry, Fla., alleging that the article had been shipped by the Central Oil Co., Macon, Ga., March 17, 1920, and transported from the State of Georgia into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Nitrogen 5.76% * * * Ammonia, not less than 7.00% * * *."

Adulteration of the article was alleged in substance in the libel for the reason that a substance deficient in protein had been mixed and packed with, and substituted wholly or in part for, the substances described in the labels on the said sacks.

Misbranding was alleged in substance for the reason that the above-quoted statements appearing on the sacks containing the article were false and misleading in that the said article did not contain the substances therein set forth.

On September 30, 1920, the Central Oil Co., Macon, Ga., having entered an appearance as claimant for the property, it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9723. Misbranding of Salax Compound. U. S. * * * v. Salax Water Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 12899. I. S. Nos. 8613-r, 8699-r.)

On November 15, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Salax Water Co., a corporation, Excelsior Springs, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about September 8 and 13, 1919, from the State of Missouri into the States of Nebraska and Minnesota, respectively, of quantities of Salax Compound which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted chiefly of a mixture of sodium sulphate, sodium bicarbonate, and sodium hydrogen phosphate, together with smaller amounts of sodium chlorid and sodium carbonate.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Salax Compound" and "A Laboratory Salt, Whose Action Is Similar To That Of The Saline And Alkaline Waters of Excelsior Springs, Mo.," borne on the labels attached to the bottles containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the said article was derived from Salax water, to wit, a mineral water at Excelsior Springs, Mo., and that it was a laboratory salt whose action was similar to that of the saline and alkaline waters of Excelsior Springs, Mo., whereas, in truth and in fact, it was not derived from Salax water, in that it was a mixture of sodium sulphate, sodium bicarbonate, and sodium hydrogen phosphate, which does not resemble in composition the Salax mineral water, and is radically dissimilar to the saline and alkaline waters of Excelsior Springs, Mo. Misbranding was alleged in substance for the further reason that certain statements, designs, and devices regarding the therapeutic and curative effect of the article, appearing on the labels attached to the said bottles and contained in the accompanying circular, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for indigestion, catarrh of the stomach, bowels, gall ducts, and bladder, rheumatism, headache, foul breath, sleepiness, loss of energy, bad color, palpitation, nausea, inflammation of the gall bladder or ducts, appendicitis, and diseases of the kidneys and blood, when, in truth and in fact, it was not.

On December 28, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9724. Adulteration and misbranding of tomato pulp. U. S. * * * v. 23 Cases * * * of Tomato Pulp * * *. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12901. I. S. No. 9288-r. S. No. C-1965.)

On June 16, 1920, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and

condemnation of 23 cases, more or less, of tomato pulp, remaining unsold in the original unbroken packages at Belleville, Ill., consigned by the Nagle & McKinney Co., Paducah, Ky., alleging that the article had been shipped from Paducah, Ky., on or about April 17, 1920, and transported from the State of Kentucky into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Cans) "Nagle & McKinney * * * Tomato Pulp, Contents 11 Ounces. Packed by Nagle & McKinney Company, Paducah, Kentucky."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding was alleged in substance for the reason that the statement on the cans containing the article, "Contents 11 Ounces," was false and misleading and deceived and misled the purchaser in that the average weight of the contents of the said cans was 0.4 ounce short of the declared amount. Misbranding was alleged for the further reason that the said article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 21, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9725. Adulteration of tomato pulp. U. S. * * * v. 758 Cans * * * of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12903. I. S. No. 10202-r. S. No. C-1966.)

On June 16, 1920, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 758 cans, more or less, each containing 5 gallons, of tomato pulp, remaining unsold in the original unbroken packages at Gibson City, Ill., consigned by the Gaston Canning Co., Gaston, Ind., alleging that the article had been shipped from Gaston, Ind., on or about October 31, 1919, and transported from the State of Indiana into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On July 21, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9726. Adulteration of tomato pulp. U. S. * * * v. 234 Cans * * * of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12904. I. S. No. 10203-r. S. No. C-1967.)

On June 16, 1920, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 234 cans, more or less, each containing 5 gallons, of tomato pulp, remaining unsold in the original unbroken packages at Gibson City, Ill., consigned by the Vallonia Canning Co., Vallonia, Ind., alleging that the article had been shipped from Vallonia, Ind., on or about December 4, 1919, and transported from the State of Indiana into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On July 21, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9727. Misbranding of Hall's Texas Wonder. U. S. * * * v. 12 Packages * * * of * * * Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12913. I. S. No. 24553-r. S. No. C-1977.)

On June 15, 1920, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 packages, more or less, of Hall's Texas Wonder, remaining unsold in the original packages at Louisville, Ky., consigned by E. W. Hall, St. Louis, Mo., April 5, 1920, alleging that the article had been shipped from St. Louis, Mo., and transported from the State of Missouri into the State of Kentucky, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "The Texas Wonder * * * E. W. Hall, Sole Manufacturer. * * * St. Louis, Mo. * * * A Remedy For Kidney and Bladder Troubles. Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, oil of turpentine, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the package or label bore the above-quoted false and fraudulent statements regarding the curative or therapeutic effect of the said article.

On September 15, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9728. Adulteration and misbranding of sirup vinegar. U. S. * * * v. 25 Bbls. * * * of Vinegar. Consent decree of condemnation and forfeiture, permitting product to be released under bond. (F. & D. No. 12923. I. S. No. 24766-r. S. No. C-1985.)

On June 15, 1920, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 barrels, more or less, of vinegar, remaining in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped by the Vernon D. Price Co., Pittsburgh, Pa., on or about April 6, 1920, and transported from the State of Pennsylvania into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, (barrels) "Vernon D. Price Syrup Vinegar * * *."

Adulteration of the article was alleged in the libel for the reason that an excess amount of water had been mixed and packed with, and substituted wholly or in part for, the said article.

Misbranding was alleged for the reason that the statement "Syrup Vinegar" was false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On July 27, 1920, the Vernon D. Price Co., Pittsburgh, Pa., claimant, having admitted the allegations of the libel and having executed a bond in the sum

of \$500, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9729. Misbranding of Hall's Texas Wonder. U. S. * * * v. 3 Dozen Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12947. I. S. No. 9539-r. S. No. C-1974.)

On June 25, 1920, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Hall's Texas Wonder, remaining in the original unbroken packages at Meridian, Miss., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., on or about May 28, 1920, and transported from the State of Missouri into the State of Mississippi, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) " * * * A Remedy For Kidney and Bladder Troubles. Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children"; (circular) " * * * In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, oil of turpentine, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effect of the article, contained in the cartons and the circulars inclosed therein, were false and fraudulent in that the said article had not the curative or therapeutic effects claimed in the said statements and contained no ingredients or combination of ingredients capable of producing such effects.

On September 14, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9730. Adulteration and misbranding of Wood's special concentrated sweetener. U. S. * * * v. One Can of Wood's Special Concentrated Sweetener. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9776. I. S. No. 6075-r. S. No. C-1081.)

On or about March 1, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of one can of Wood's special concentrated sweetener, at Pine Bluff, Ark., consigned by the W. B. Wood Mfg. Co., St. Louis, Mo., alleging that the article had been shipped from St. Louis, Mo., October 29, 1918, and transported from the State of Missouri into the State of Arkansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Wood's Special Concentrated Sweetener 500. Net 10 Pounds. Soluble in Cold Water. W. B. Wood Mfg. Co., St. Louis, Mo. * * * This may be used by dissolving 1 Pound of Concentrated Sweetener in 1 Gallon of water. This solution is equal in sweetening power to about 4 pounds of sugar * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained approximately 36 per cent of sugar.

Adulteration of the article was alleged in substance in the libel for the reason that it was offered for sale and sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the tests therein laid down, and did not bear a statement on the label showing wherein it differed from the said standard, and for the further reason that the strength and purity of the said article fell below the professed standard and quality under which it was sold.

Misbranding was alleged in substance for the reason that the above-quoted statements in the labeling were false and misleading since the said statements conveyed the impression that the article had 500 times the sweetening power of sugar and that it was entirely soluble in cold water, whereas, in truth and in fact, it had not 500 times the sweetening power of sugar and was not entirely soluble in cold water. Misbranding was alleged for the further reason that the article was offered for sale and sold under the name of another article, to wit, saccharin.

On February 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9731. Misbranding of Cummings' Pill-Mass. U. S. * * * v. 5 $\frac{1}{2}$ Dozen Jars * * * of Cummings' Pill-Mass. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10830. I. S. No. 15865-r. S. No. E-1638.)

On August 6, 1919, the United States attorney for the Southern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on September 10, 1919, an amendment thereto, for the seizure and condemnation of 5 $\frac{1}{2}$ dozen jars, more or less, of Cummings' Pill-Mass, at Bluefield, W. Va., alleging that the article had been shipped by the F. P. Cummings Co., Roanoke, Va., November 1, 1918, and transported from the State of Virginia into the State of West Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Wrapper) "Cummings' Pill-Mass * * * A Guaranteed * * * For Gonorrhœa, Gonorrhœal Rheumatism, Gleet, Stricture, Seminal Weakness, Sexual Impotence, Catarrh of the Bladder, Catarrh of the Stomach, Falling of the Womb, Leucorrhœa (Whites), Pain in the Back and Loins, and all Genito-Urinary Diseases, Enlarged Prostate or Incontinence"; (carton) "Cummings' Pill-Mass The Most Speedy And Certain Cure Ever Discovered For All Diseases Of the Kidneys, Bladder And Urinary Organs. * * * Sold Under a Positive Guarantee to Cure When Directions are Followed"; (circular) "* * * Cummings' Pill-Mass is probably the most scientific preparation on the market for inflammation of the bladder, feverish urine, pain in the back and loins. This medicine relaxes the ureter and urethra so as to pass gravel with ease. It will generally pass gravel within five hours after taking the first dose. It is especially valuable in gonorrhœa, gleet, stricture, whites, seminal weakness and enlarged prostate [prostate] * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained copaiba, volatile oils, vegetable extractives, and a salicylic acid compound.

Misbranding of the article was alleged in substance in the libel, as amended, for the reason that the above-quoted statements falsely and fraudulently represented that the said article was a remedy for gonorrhœa, gonorrhœal rheumatism, gleet, stricture, seminal weakness, sexual impotence, catarrh of the bladder, catarrh of the stomach, falling of the womb, leucorrhœa (whites), pain

in the back and loins, and all genito-urinary diseases, enlarged prostate or incontinence, all diseases of the kidneys, bladder, and urinary organs, that it was guaranteed to cure upon following the directions, that it was probably the most scientific preparation on the market for inflammation of the bladder, feverish urine, pain in the back and loins, and that it relaxed the ureter and urethra so as to pass gravel with ease, generally within five hours after taking the first dose, whereas, in truth and in fact, it contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed.

On November 29, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9732. Misbranding of Capitol hog remedy. U. S. * * * v. 10 Packages of Capitol Hog Remedy. Default decree ordering the destruction of the product. (F. & D. No. 12406. I. S. No. 16709-r. S. No. E-2101.)

On May 7, 1920, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 packages of Capitol hog remedy, remaining unsold in the original packages at Melfa, Va., alleging that the article had been shipped by the Capitol Food Co., Tiffin, Ohio, on or about February 9, 1920, and transported from the State of Ohio into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of charcoal, powdered vegetable material, including nux vomica and wormseed, iron sulphate, magnesium sulphate, sodium carbonate, and sodium chlorid.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing upon the cartons containing the said article, regarding the curative and therapeutic effect thereof, to wit, " * * * Capitol Hog Remedy * * * A Superior * * * Remedy For Swine. Recommended for Hog Cholera, Scrofula, Inflammatory and all Contagious Diseases peculiar to Swine; purifies the blood; * * * Contains such medicines as are actually required to cure and prevent diseases among swine. It is sold on a cash guarantee to cure hog cholera, scrofula and all contagious diseases among swine. Purifies the blood, cures indigestion, * * * and produces an extraordinary rapid growth. * * * A Wonder in the Development of Swine Recommended to cure and prevent diseases, produces an extraordinary rapid growth, * * * Recommended to cure and prevent Hog Cholera and all contagious diseases peculiar to Swine; * * * restores Hogs to a good healthy condition. * * * It will cost you thirty-six cents to feed Capitol Hog Remedy to one Hog regularly for three months, thus insuring no loss whatever from Cholera or any other disease, * * * Swine are very susceptible to Scrofula, inflammatory and contagious diseases, commonly known as the Swine Plague (Hog Cholera). * * * Hog Cholera once established in a herd runs a very rapid course, death resulting in a very short time. Unless you begin treatment at once you are in constant danger of severe losses, * * * For fattening hogs.—Give one tablespoonful to two or three Hogs or Shoats twice per day. This will keep them free from disease and prepare them for the market in a very short time. * * * For Hog Cholera.—As soon as you notice that Hog Cholera has begun on your herd, * * * Give from two or three tablespoonfuls of Capitol Hog Remedy three times a day for each Hog. * * * If already diseased increase at once to three and even four tablespoon-

fuls * * * To secure best results, you should procure a supply at once and continue its use once or twice per day regularly; this will net you a nice profit, besides keeping your Hogs free from Cholera and all other diseases. * * * Capitol Hog Remedy insures health * * *," were false, fraudulent, and misleading in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 9, 1921, no claimant having appeared for the property, judgment of the court was entered ordering the destruction of the product by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9733. Misbranding of cottonseed cake. U. S. * * * v. Port Gibson Oil Works, a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 12480. I. S. No. 12026-r.)

On January 3, 1921, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Port Gibson Oil Works, a corporation, Port Gibson, Miss., alleging shipment by said company, on or about December 21, 1918, in violation of the Food and Drugs Act, as amended, from the State of Mississippi into the State of Kansas, of a quantity of unlabeled cottonseed cake which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 5, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9734. Adulteration of finnan haddie. U. S. * * * v. 17 Boxes * * * of Finnan Haddie. Default decree ordering the destruction of the product. (F. & D. No. 12550. I. S. No. 8891-r. S. No. C-1884.)

On April 13, 1920, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 17 boxes of finnan haddie, remaining in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped by Alfred Jones Sons, Bangor, Me., on or about March 19, 1920, and transported from the State of Maine into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, (box) "Jones Celebrated Finnan Haddie A. J. S."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of filthy, decomposed, and putrid substances.

On April 16, 1920, no claimant having appeared for the property, on motion of the United States attorney it was ordered by the court that the product be destroyed by the United States marshal since it was in a decomposed, putrid condition and unfit for food.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9735. Misbranding of Dr. Machin's K K K So So Se, K K K Pectus Balm, K K K tonic, and K K K Laxative Perio. U. S. * * * v. K K K Medicine Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 12879. I. S. Nos. 8734-r, 8735-r, 8736-r, 8737-r.)

On January 17, 1921, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the K K K Medicine Co., a corporation, Keokuk, Iowa, alleging shipment by said

company, in violation of the Food and Drugs Act, as amended, from the State of Iowa into the State of Kansas, on or about June 16, October 1, September 18, and September 19, 1919, respectively, of quantities of Dr. Machin's K K K So So Se, K K K Pectus Balm, K K K tonic, and K K K Laxative Perio which were misbranded.

Analyses of samples of the respective articles by the Bureau of Chemistry of this department showed that the K K K So So Se was a dark brown, hydro-alcoholic solution, consisting chiefly of sugar and glucose, with a small amount of creosote, methyl salicylate, capsicum, oil of sassafras, and plant principles; that the K K K Pectus Balm was a brown hydro-alcoholic solution, consisting chiefly of sugars and small amounts of ammonium chlorid, benzoic acid, tartar emetic, saccharin, bitter plant principles, with traces of camphor and oils of anise and eucalyptol; that the K K K tonic was a hydro-alcoholic solution, containing sugar, with small amounts of emodin-bearing drugs, bitter plant extractives, pepsin, and traces of cinchona alkaloids, hydrochloric acid, and oils of cloves and cassia; and that the K K K Laxative Perio was a hydro-alcoholic solution of sugar, sodium phosphate, emodin-bearing drugs, and small amounts of plant principles, saccharin, and oils of orange and anise.

Misbranding of the articles was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles containing the said articles and in the accompanying booklets, falsely and fraudulently represented that the K K K So So Se was effective as a preventive, treatment, remedy, and cure for bad blood, pimples, gall stones, ringworms, tetter, boils, malaria, catarrh, scrofula, ulcers, all disordered conditions of the system, loss of nervous energy, lack of vitality, anæmia, kidney and liver troubles, bad breath, night sweats, yellow jaundice, running sores, sour stomach, biliousness, nasal catarrh, kidney and liver diseases, syphilis, lung troubles, and blood poisoning, effective as a blood medicine, to make pure rich blood, to build up run-down, tired, thin-blooded bodies, to restore waning powers, to revive nervous energy and vitality, to produce more vim, vigor, and ambition, to tone and build up the worn-out tissues, to relieve overworked nerves, to restore the blessings of sleep, to bring back the natural rosy color of health, to make the eyes clear, and to invigorate the brain; that the K K K Pectus Balm was effective as a treatment, remedy, and cure for hoarseness, sore throat, all bronchial troubles, whooping cough, pleurisy, pneumonia, croup, and asthma; that the K K K tonic was effective as a treatment, remedy, and cure for indigestion, dyspepsia, nausea, all stomach troubles, jaundice, catarrh, nervousness, nervous debility, nervous troubles of all kinds, female troubles of every description, ailments peculiar to women, headache, bad breath, and piles, and effective to promote complete digestion; and that the K K K Laxative Perio was effective as a treatment, preventive, remedy, and cure for headache, jaundice, fever and ague, malaria, skin eruptions, nervous troubles, spasms, sallow complexion, and bad blood, when, in fact and in truth, they were not.

On April 5, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9736. Misbranding of olive oil. U. S. * * * v. Thomas L. Nasiacos, James Mallers, and Harry Kokenes (Nasiacos Importing Co.).
Pleas of guilty. Fine, \$50 and costs. (F. & D. No. 12896. I. S. No. 2531-r.)

On February 7, 1921, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against

Thomas L. Nasiacos, James Mallers, and Harry Kokenes, copartners, trading as the Nasiacos Importing Co., Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about May 12 and 16, 1919, from the State of Illinois into the State of Utah, of a quantity of olive oil which was misbranded.

Examination of a sample consisting of 5 cans of the article by the Bureau of Chemistry of this department showed on the cans examined an average shortage of 0.3 gallon, or 6 per cent.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Contents $\frac{1}{2}$ Gallon," borne on the cans containing the article, regarding the article, was false and misleading in that it represented that each of the said cans contained $\frac{1}{2}$ gallon thereof, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the cans contained $\frac{1}{2}$ gallon thereof, whereas, in truth and in fact, each of the said cans did not contain $\frac{1}{2}$ gallon of the article, but did contain a less amount. Misbranding was alleged for the further reason that the said article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 5, 1921, the defendants entered pleas of guilty to the information, and on July 1, 1921, the court imposed a fine of \$50 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9737. Misbranding of cottonseed meal. U. S. * * * v. Triangle Milling Co., a Corporation. Plea of guilty. Fine, \$25 and costs.
(F. & D. No. 13182. I. S. No. 18823-r.)

On November 15, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Triangle Milling Co., trading at Kansas City, Mo., alleging shipment by said company, on or about January 22, 1920, in violation of the Food and Drugs Act, as amended, from the State of Missouri into the State of Kansas, of a quantity of unlabeled cottonseed meal which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously stated on the outside of the package.

On December 28, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9738. Misbranding of Arthur's Sextone tablets, Thomas' emmenagogue pills, Bick's nerve tonic tablets, Bick's Sextone pills, and Bick's Daisy 99 tablets. U. S. * * * v. 10 Packages or Boxes each of Arthur's Sextone Tablets, Thomas' Emmenagogue Pills, and Bick's Nerve Tonic Tablets, 4 Packages or Boxes of Bick's Sextone Pills, and 4 Boxes or Packages of Bick's Daisy 99. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13744, 13745, 13746, 13747, 13758. Inv. Nos. 23289, 23290, 23291, 23292, 23293. S. Nos. C-2534, C-2535, C-2536, C-2537, C-2538.)

On October 5 and 8, 1920, respectively, the United States attorney for the Eastern District of Arkansas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 10 packages or boxes each of Arthur's Sextone tablets, Thomas' emmenagogue pills, and Bick's nerve tonic tablets, 4 packages or boxes of Bick's Sextone pills, and 4 boxes or packages of Bick's

Daisy 99 tablets, at Moro, Ark., alleging that the articles had been shipped by the Palestine Drug Co., St. Louis, Mo., in part on or about March 13 and in part on or about April 9, 1919, and transported from the State of Missouri into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Arthur's Sextone tablets consisted essentially of iron, zinc, caffeine, phosphates, and unidentified plant extractives; that the Thomas' emmenagogue pills consisted essentially of ferrous sulphate, aloes, and a trace of alkaloid; that the Bick's nerve tonic tablets consisted of two preparations, brown pills containing, essentially, compounds of zinc and iron, phosphorus, and phosphates and yellow tablets containing iron phosphate and strychnine; that the Bick's Sextone pills consisted of two preparations, chocolate-colored pills containing, essentially, calcium carbonate, iron oxid, plant extractives, and sugar and orange-colored pills containing, essentially, metallic iron, nux vomica extractives, and calcium carbonate; and that the Bick's Daisy 99 tablets consisted essentially of iron sulphate, methylene blue, cubeb, and copaiha.

Misbranding of the articles was alleged in substance in the libels for the reason that the following statements appearing in the labeling of the respective products, to wit, (Arthur's Sextone tablets) (wrapper) " * * * Designed to Correct * * * the Evil Results Following Sexual or Alcoholic Excesses, Overwork, Worry, etc. * * * Sextone Tablets For Either Sex Composed of * * * the Most Potent and Dependable Aphrodisiac Agencies," (circular) " * * * Sextone Tablets * * * cases of exhaustion of nervous energy, * * * stimulate * * * the Sexual Plexes, * * * nourish the nervous system and build it up," (Thomas' emmenagogue pills) (box label) "Emmenagogue Pills recommended for Ammenorrhea, Dysmenorrhea and other Menstrual Troubles * * * beginning treatment * * * before the regular monthly period. * * * Continue * * * until relief is obtained," (Bick's nerve tonic tablets) (wrapper) " * * * Nerve Tonic * * * for Nervous Prostration and bodily aches and pains, a nerve * * * tonic for all female complaints. * * * for Weakness, Nervousness, Headache, Kidney Trouble, and loss of Power in either Sex. * * * for female weakness, heart trouble and where a general breakdown of the nervous system exists * * *," (Bick's Sextone pills) (box label) "Sextone Pills * * * Composed of * * * Aphrodisiac Agencies * * *," (Bick's Daisy 99 tablets) (wrapper) "Bick's Daisy 99 * * * Gonorrhea Gleet and functional ailments of the Kidneys and Bladder in both Male and Female * * *," were false and fraudulent in that the said articles contained no ingredients or combination of ingredients capable of producing the effects claimed for them.

On March 15, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9739. Adulteration and misbranding of pie filling compound. U. S. * * * v. 25 Cases * * * of * * * Pie Filling Compound. Decree finding product adulterated and misbranded and ordering its release under bond. (F. & D. No. 14186. I. S. No. 472-t. S. No. C-2662.)

On January 12, 1921, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 cases, more or less, each containing 48 packages, of lemon

flavor pie filling compound, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Jewel Tea Co., from Chicago, Ill., October 16, 1920, and transported from the State of Illinois into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Jewel Brand Lemon Flavor Pie Filling Compound * * * Jewel Tea Co., Inc. Headquarters New York, New Orleans, Chicago, San Francisco * * *."

Adulteration of the article was alleged in the libel for the reason that an artificially colored product consisting essentially of cornstarch, sugar, gelatin, and citric acid, and containing no eggs, had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article was mixed and colored in a manner whereby damage or inferiority was concealed.

Misbranding was alleged in substance for the reason that the statement on the label, "Lemon Flavor Pie Filling Compound," was false and misleading and deceived or misled the purchaser, and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On June 30, 1921, the Jewel Tea Co. having entered an appearance as claimant for the property and having admitted the allegations of the libel, judgment was entered finding the article to be adulterated and misbranded as alleged in the said libel, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that it be relabeled.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9740. Misbranding of Gold Medal compound pills. U. S. * * * v. 3 Dozen and 5 Dozen Packages * * * of * * * Gold Medal Compound Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13256, 13257. I. S. Nos. 358-t, 361-t, 362-t. S. Nos. C-2126, C-2127, C-2128.)

On August 14, 1920, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 3 dozen and 5 dozen packages of Gold Medal compound pills, remaining unsold in the original unbroken packages at Wichita, Kans., alleging that the article had been shipped by the S. Pfeiffer Mfg. Co., St. Louis, Mo., on or about March 22, July 1, and July 15, 1920, respectively, and transported from the State of Missouri into the State of Kansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of ferrous sulphate, oil of pennyroyal, and aloes.

Misbranding of the article was alleged in substance in the libels for the reason that certain statements regarding the therapeutic or curative effect thereof, appearing in the circular in each of the packages containing the said article, to wit, " * * * Gold Medal Compound Pills Begin by taking one Pill before each meal * * * Four or five days before the expected appearance of the menstrual flow, drink freely * * * of hot ginger tea * * * in cases of suppressed menstruation," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effect claimed, and the said statements were applied to the article so as to repre-

sent falsely and fraudulently, and to create in the minds of purchasers thereof the impression and belief, that it was composed of or contained ingredients or medicinal agents capable of producing the therapeutic effect claimed, when, in truth and in fact, it contained no ingredients capable of producing the effects claimed.

On December 2, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9741. Adulteration of mineral water. U. S. * * * v. 216 Cases of Mineral Water. Consent decree of condemnation and forfeiture. Product ordered destroyed and bottles returned to claimant. (F. & D. No. 11107. I. S. No. 6788-r. S. No. C-1429.)

On August 26, 1919, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 216 cases of mineral water, remaining unsold in the original unbroken packages at Alexandria, La., alleging that the article had been shipped by the Texas Carlsbad Wells, Mineral Wells, Tex., June 4, 1919, and transported from the State of Texas into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Mineral Wells Texas Carlsbad Water."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal and vegetable substance.

At the April, 1921, term of the said District Court, the Carlsbad Water Co., Mineral Wells, Tex., claimant, having admitted that the water was unfit for human consumption and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that, upon payment of the costs of the proceedings or the execution of a bond therefor, the marshal empty the water from the bottles containing the same and deliver the bottles to the said claimant.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9742. Adulteration and misbranding of loganberry soda water. U. S. * * * v. The Standard Bottling Co., a Corporation. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 11206. I. S. No. 6857-r.)

At the May, 1920, term of the United States District Court within and for the District of Colorado, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the District Court aforesaid an information against the Standard Bottling Co., a corporation, Denver, Colo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about May 11, 1918, from the State of Colorado into the State of Nebraska, of a quantity of loganberry soda water which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was an artificially-colored, sweetened, carbonated beverage containing a small quantity of a benzoate or benzoic acid, and little, if any, fruit constituents.

Adulteration of the article was alleged in the information for the reason that it had been colored in a manner whereby inferiority was concealed, and for the further reason that a solution of sugar, water, and artificial coloring and flavoring matter and benzoate of soda had been mixed and packed therewith so

as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for loganberry soda water, which the article purported to be.

Misbranding was alleged for the reason that the article was an imitation of, and was offered for sale under the name of, another article, to wit, loganberry soda water. Misbranding was alleged for the further reason that the article was labeled "Loganberry" and bore a design of ripe loganberries, so as to deceive and mislead purchasers into the belief that it was made of loganberries and was a loganberry soda water, and for the further reason that the statement on the label, "Loganberry," together with the design of ripe loganberries, was false and misleading in that it represented to purchasers thereof that the article was a loganberry soda water and was made with loganberries, whereas, in fact and in truth, it was not a loganberry soda water and was made with artificial flavoring and coloring matter.

On July 19, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9743. Misbranding of Hall's Texas Wonder. U. S. * * * v. 96 Bottles, 120 Bottles, and 138 Bottles of * * * Texas Wonder. Default decrees finding product to be misbranded and ordering its destruction. (F. & D. Nos. 11408, 11409, 11886. I. S. Nos. 8455-r, 8458-r, 8472-r. S. Nos. C-1501, C-1502, C-1687.)

On September 29, 1919, and January 14, 1920, the United States attorney for the Western District of Arkansas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 96 bottles, 120 bottles, and 138 bottles of Hall's Texas Wonder, at Fort Smith, Ark., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., July 17, August 7, and December 26, 1919, respectively, and transported from the State of Missouri into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article involved in the consignments of July 17 and August 7, 1919, was labeled in part: (Carton) "The Texas Wonder, for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children"; (circular, testimonial of Louis A. Portner) "* * * began using The Texas Wonder for stone in the kidneys, inflammation of the bladder and tuberculosis of the kidneys * * * His urine contained 40% pus. * * * was still using the medicine with wonderful results, and his weight had increased * * *." The shipment of December 26 was labeled in part: (Carton) "* * * A Remedy For Kidney and Bladder Troubles. Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children"; (circular headed "Read Carefully") "* * * The Texas Wonder, Hall's Great Discovery * * * In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements regarding the therapeutic and curative effects thereof, appearing in the labeling, were false and fraudulent in that they were applied to the said article so as to represent falsely and fraudulently, and to create in the minds of purchasers thereof the impression and belief, that the article involved in the shipments of July 17 and August

7, 1919, was effective as a treatment for diabetes, weak and lame backs, rheumatism and other diseases named in said statements, and that the article involved in the shipment of December 26, 1919, was effective as a remedy for kidney and bladder troubles, weak and lame back, rheumatism, and gravel and to regulate bladder trouble in children, when, in truth and in fact, the article involved in all shipments was not effective for the purposes named.

On August 11, 1921, no claimant having appeared for the property, judgments of the court were entered finding the product to be misbranded and ordering its destruction by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9744. Misbranding of Knoxit prophylactic. U. S. * * * v. 36 Dozen Bottles * * * of * * * Knoxit Prophylactic. Default decree finding product to be misbranded and ordering its destruction. (F. & D. No. 11894. I. S. No. 8991-r. S. No. C-1685.)

On January 27, 1920, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 36 dozen bottles of Knoxit prophylactic, at Fort Smith, Ark., alleging that the article had been shipped by the Beggs Mfg. Co., Chicago, Ill., July 14, 1919, and transported from the State of Illinois into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained glycerin, zinc acetate, hydrastis extractives, and water. Mercury salts were absent.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the carton containing the said article and in an accompanying circular, falsely and fraudulently represented it to be effective as a remedy or mild antiseptic used as a hygienic precaution against the contraction of local infectious diseases, when, in truth and in fact, it was not.

On August 11, 1921, no claimant having appeared for the property, judgment of the court was entered finding the product to be misbranded and ordering its destruction by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9745. Misbranding of Hall's Texas Wonder. U. S. * * * v. 3 Dozen Bottles of Hall's Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13116. I. S. No. 2387-t. S. No. C-2061.)

On July 27, 1920, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Hall's Texas Wonder, remaining in the original unbroken packages at Meridian, Miss., alleging that the article had been shipped by G. Nash, St. Louis, Mo., on or about July 17, 1920, and transported from the State of Missouri into the State of Mississippi, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) " * * * Recommended For Kidney and Bladder Troubles When Operation Not Required. Weak or Lame Backs. Rheumatism, Gravel and Bladder Troubles in Children "; (circular) " * * * In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effect thereof, contained in the cartons and circulars inclosed therein, were false and fraudulent in that the said article had not the curative or therapeutic effect claimed in the said statements and contained no ingredients or combination of ingredients capable of producing such effects.

On September 14, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9746. Misbranding of Hall's Texas Wonder. U. S. * * * v. 3 Dozen Bottles of * * * Hall's Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13117. I. S. No. 4478-t. S. No. C-2067.)

On or about August 6, 1920, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of Hall's Texas Wonder, remaining unsold in the original unbroken packages at Selma, Ala., alleging that the article had been shipped by G. Nash, St. Louis, Mo., July 24, 1920, and transported from the State of Missouri into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) " * * * A Remedy For Kidney and Bladder Troubles. Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children"; (circular headed "Read Carefully") " * * * In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements appearing on the labels, regarding the curative and therapeutic effects thereof, were false and fraudulent since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 29, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9747. Adulteration and misbranding of Sako. U. S. * * * v. 22 Bottles of Sako. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13122. I. S. No. 7769-r. S. No. C-2054.)

On July 27, 1920, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 22 bottles of Sako, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Sako Products Co., Chicago, Ill., on or about June 17, 1920, and transported from the State of Illinois into the State of Minnesota, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it contained an added poisonous or deleterious ingredient, saccharin, which might render it injurious to health.

Misbranding was alleged in substance for the reason that the statements on the labels of the bottles containing the article, to wit, " * * * Sweetener * * * Bottle herein contains 2 Fluid Ounces, which approximately equals the sweetening power of 15 Pounds of Sugar. This gives you the corresponding sweetness of sugar at a relative cost of approximately 6-2/3 c per Pound. * * * Guaranteed to comply with the Federal Food and Drug Act * * *," were false and misleading and deceived and misled the purchaser by representing the product as of sucrose origin, when it was not. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On June 20, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9748. Misbranding of Paradise oil and Tarina carbolized salve. U. S. * * * v. California Good Health Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 13176. I. S. Nos. 8191-r, 9228-r.)

On January 4, 1921, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the California Good Health Co., a corporation, Louisville, Ky., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about October 15 and November 15, 1919, from the State of Kentucky into the States of Missouri and Illinois, respectively, of quantities of Tarina carbolized salve and Paradise oil, respectively, which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Paradise oil consisted essentially of a combination of sulphuretted linseed oil and turpentine, and that the Tarina carbolized salve was a dark green semi-solid ointment composed essentially of petrolatum with a small amount of phenol and oil of tar.

Misbranding of the articles was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the cartons and the boxes or bottles, as the case might be, containing the said articles, and in accompanying circulars falsely and fraudulently represented that the Paradise oil was effective as a treatment, remedy, and cure for kidney, liver, bladder, and rheumatic troubles, dropsy, stone in the bladder, gall stones, inflammation of the kidneys or bladder, incontinence of urine, retention of urine, sediment in urine, scalding urine, difficulty in passing urine, bed wetting of children, rheumatism, dropsical swellings, pains in the back, irritation and pains in the bladder, palpitation of the heart, pains under the shoulder blades, extreme pains in the loins, sallow complexion, blotches, continuous headaches, great thirst, backache, headache, unusual desire to urinate at night, scalding secretion, tired feeling, acid, bitter taste, tongue furred in the morning, sour stomach, heartburn and dyspepsia, loss of memory, short breath, hot and dry or yellow skin, offensive or rank smell to the urine, abundance of pale urine or scanty flow of dark-colored urine, deposit of mucus after urination, bloat and dark circles under the eye, feet, limbs, or body bloat, flabby tongue, appearance of raw piece of beef full of cracks and creases, yellowish eye-balls, variable appetite, distention of the bladder, passage of thick tenacious matter, catarrh

mucous, sense of weight of bladder, passage of small red gravel and grit, sudden stoppage while passing water, pain and ache in back, side, and hips, running down to the urinary organs, and frequency of urination, and that the Tarina carbolized salve was effective as a treatment, remedy, and cure for croup, ulcerated sore throat, salt rheum, scald head, tetter, eczema, crusta lacta or scalp disease, granulated (or sore) eyelids, sore and inflamed lungs, bleeding, itching, blind, and outward piles, obstinate and running sores, old sores, all skin diseases, blotches, scales, pimples, eruptions, catarrh with sores, ulcers, offensive discharge, earache, whooping cough, and mumps, and effective to prevent scars after scalds and burns, when, in truth and in fact, they were not.

On March 16, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9749. Misbranding of Allan's Star Brand pills and compound tansy, pennyroyal, and cotton root pills. U. S. * * * v. 6 Boxes * * * of Allan's Star Brand Pills and 4 Packages * * * of Compound Tansy, Pennyroyal, and Cotton Root Pills. Default decrees finding products to be misbranded and ordering their destruction.
(F. & D. Nos. 13487, 13590. I. S. Nos. 266-t, 267-t. S. Nos. C-2383, C-2456.)

On August 25 and September 8, 1920, respectively, the United States attorney for the Western District of Arkansas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 6 boxes, more or less, of Allan's Star Brand pills and 4 packages, more or less, of compound tansy, pennyroyal, and cotton root pills, at Fort Smith, Ark., alleging that the articles had been shipped by the Allan-Pfeiffer Chemical Co., St. Louis, Mo., on or about May 20, 1920, and transported from the State of Missouri into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Star Brand pills consisted essentially of iron sulphate, aloes, and starch, and that the tansy, pennyroyal, and cotton root pills consisted essentially of iron sulphate, oil of pennyroyal, and aloes.

Misbranding of the articles was alleged in substance in the libels for the reason that the following statements regarding their therapeutic and curative effects, appearing in the circulars inclosed in each box containing the respective articles, (Allan's Star Brand pills) "Allan's Star Brand Pills A Good Remedy In Suppressed or Painful Menstruation. * * * to bring on the menses * * * immediately preceding the expected appearance of the menstrual flow active treatment should begin. * * * Take one Pill * * * Continue this treatment * * * until satisfactory result is secured. To Prevent Irregularities—Take one Pill * * * four or five days preceding the expected appearance of the menstrual period. For Painful Menstruation—The same treatment prescribed for suppression," (compound tansy, pennyroyal, and cotton root pills) "* * * A Safe and Effectual Remedy in Suppressed or Painful Menstruation. * * * Four or five days immediately preceding the expected appearance of the menstrual flow active treatment should begin. Take one Pill * * * To Prevent Irregularities.—Take one Pill three times daily for four or five days preceding the expected appearance of the menstrual period. For Painful Menstruation.—The same treatment prescribed for suppression," were false and fraudulent in that the said articles did not contain any substances or mixture of substances capable of producing the results claimed.

On August 11, 1921, no claimant having appeared for the property, judgments of the court were entered finding the products to be misbranded and ordering their destruction by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9750. Misbranding of Pratt's cholera remedy, poultry regulator, animal regulator, and hog cholera specific. U. S. * * * v. Pratt Food Co., a Corporation. Plea of nolo contendere. Fine, \$25. (F. & D. No. 10896. I. S. Nos. 4870-p, 4874-p, 4875-p, 6811-p.)

On November 24, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Pratt Food Co., a corporation, Philadelphia, Pa., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, from the State of Pennsylvania into the State of Florida, on or about December 12, 1917, of a quantity of Pratt's cholera remedy, and on or about March 16, 1918, of quantities of Pratt's poultry regulator and Pratt's animal regulator, respectively, and from the State of Pennsylvania into the State of North Carolina, on or about December 11, 1917, of a quantity of Pratt's hog cholera specific, all of which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Pratt's cholera remedy consisted essentially of iron sulphate, aluminum sulphate, and ginger; that the Pratt's poultry regulator consisted essentially of fenugreek seed, ginger, fennel, gentian, nux vomica, charcoal, sulphur, calcium carbonate, and iron sulphate; that the Pratt's animal regulator consisted essentially of fenugreek seed, ginger, fennel, gentian, nux vomica, charcoal, salt, and iron sulphate; and that the Pratt's hog cholera specific consisted essentially of fenugreek seed, gentian, charcoal, salt, sulphur, and a small amount of ferrous sulphate.

Misbranding of the articles was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the packages containing the respective articles, falsely and fraudulently represented that the Pratt's cholera remedy was effective as a treatment, remedy, and cure for chicken cholera; that the Pratt's poultry regulator was effective to prevent chicken cholera, roup, gapes, and all common ailments of poultry and as a treatment, remedy, and cure for chicken cholera, roup, gapes, and all common ailments of poultry; that the Pratt's animal regulator was effective to prevent hog cholera and as a treatment for hog cholera; and that the Pratt's hog cholera specific was effective to prevent hog cholera and as a treatment, remedy, and cure for hog cholera, when, in fact and in truth, they were not.

On June 15, 1921, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

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United States Department of Agriculture,

BUREAU OF CHEMISTRY.

W. G. CAMPBELL, Acting Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 9751-9800.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., December 31, 1921.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

9751. Misbranding of Compound Fluid Balmwort. U. S. * * * v. Blackburn Products Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 11038. I. S. No. 5856-r.)

On November 26, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Blackburn Products Co., a corporation, Dayton, Ohio, alleging shipment by said company, on or about August 5, 1918, in violation of the Food and Drugs Act, as amended, from the State of Ohio into the State of Indiana, of a quantity of Compound Fluid Balmwort which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of extracts of plants, including uva ursi, a large proportion of sodium acetate, alcohol, and water.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles and cartons containing the said article and in an accompanying circular, falsely and fraudulently represented it to be effective, both alone and when used in combination with compound sirup of sarsaparilla and pure gin or fluid extract of buchu, as a depurative, antacid, antiscrofulic, and tonic, as a treatment, remedy, and cure for catarrh, rheumatism, dropsy, gout, diseases of the kidneys, bladder, and urinary tract, scrofula, blood impurities, skin diseases, urinary derangement, and functional derangements of chronic character, and as an alterative tonic; effective, both alone and in combination with compound sirup of sarsaparilla and fluid extract of buchu, as a treatment, remedy, and cure for diseases of the kidney and bladder and urinal tract, for backache, incontinence of urine, frequent and painful urination, bed-wetting of children, rheumatism and uric acid conditions, and urinary troubles; effective, both alone and in combination with aromatic cascara and sirup Trifolium compound, as a blood medicine and as a treatment,

remedy, and cure for impure blood, pimples, boils, carbuncles, ulcers, running sores, canker, and ringworm; effective, both alone and in combination with fluid extract of juniper berries and compound sirup of hypophosphites, as a treatment, remedy, and cure for kidney disorders of a catarrhal character and for rheumatic complaints; and effective, both alone and in combination with tincture of cubebs, tincture of Rhus aromatic, and elixir of saw palmetto, as a treatment, remedy, and cure for incontinence of urine of adults and children, when, in fact and in truth, it was not.

On February 7, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9752. Adulteration of tomato pulp. U. S. * * * v. 186 * * * Cans * * * of Tomato Pulp. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 13158. I. S. No. 3029-t. S. No. C-2068.)

On August 2, 1920, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 186 five-gallon cans of tomato pulp, remaining unsold in the original packages at Louisville, Ky., consigned by the English Canning & Mfg. Co., English, Ind., July 6, 1920, alleging that the article had been shipped from English, Ind., and transported from the State of Indiana into the State of Kentucky, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On September 15, 1920, the English Canning Co., English, Ind., claimant, having admitted the allegations of the libel and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9753. Misbranding of Pierce's Empress Brand tansy, cotton root, pennyroyal, and apiol tablets. U. S. * * * v. 140 Packages * * * of Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal, and Apiol Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13277. I. S. No. 6299-t. S. No. E-2663.)

On August 30, 1920, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 140 packages of Pierce's Empress Brand tansy, cotton root, pennyroyal, and apiol tablets, remaining unsold in the original unbroken packages at Wilkes-Barre, Pa., alleging that the article had been shipped by Robert J. Pierce, Inc., New York, N. Y., on or about May 8, 1920, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained ferrous sulphate and plant extractives, including pennyroyal and aloes.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding the curative and therapeutic effects thereof, appearing on the label of the box containing the said article and in an accompanying circular, (box) " * * * Tansy, Cotton Root, Pennyroyal and Apiol Tablets A Safe Emmenagogue, Always Reliable and Effective. The Best Known Remedy For The Suppression of The Menstrual Func-

tion," (circular) " * * * Tansy, Cotton Root, Pennyroyal and Apioi Tablets * * * The Celebrated Female Regulator * * * Delayed Menstruations. When the suppression is of long standing, * * * take one * * * until four days before the time when the menses should appear. * * * immediately preceding the expected appearance of the menstrual flow, active treatment should begin. Take one * * * three times daily, * * * follow * * * instructions * * * until the desired result is obtained. * * * Irregularities Where the menses are not regular, * * * are invaluable. Take * * * before the expected appearance of the menstrual period * * *," were false and fraudulent inasmuch as the said article contained no ingredient or combination of ingredients capable of producing the effect claimed.

On May 27, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9754. Misbranding of Chase's blood and nerve tablets. U. S. * * * v. 36 Dozen (Regular) and 18 Dozen (Special) Packages of * * * Chase's Blood and Nerve Tablets. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 13317. I. S. No. 477-t. S. No. C-2142.)

On August 17, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 36 dozen (regular) and 18 dozen (special) packages, more or less, of Chase's blood and nerve tablets, remaining unsold at Cincinnati, Ohio, consigned by the United Medicine Co., Philadelphia, Pa., on or about June 8, 1920, alleging that the article had been shipped from Philadelphia, Pa., and transported from the State of Pennsylvania into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) " * * * Nerve Tablets"; (wrapper) " * * * Nerve Tablets * * * restorative to the nerves, giving health, strength, and vigor to the weak, nervous, emaciated, convalescent, and overworked. These Tablets can be taken in Dizziness, Despondency, General Debility, Irritability, in conditions where there is Weakness and a Lack of Strength"; (circular) " * * * These Tonic Preparations are Especially Useful in Cases of Weakness and a Lack of Strength. * * * restorative to the nerves, giving health, strength and vigor to the weak, nervous, emaciated, convalescent and overworked. These Tablets can be taken in Dizziness, Despondency, General Debility, Irritability, and in conditions where there is Weakness and a Lack of Strength. * * * they aid digestion and stop fermentation in the stomach, * * * The Tablets begin their work by correcting the stomach. * * * Women who find the tablets make them menstruate too freely should not take them during that period. As a female regulator * * * During pregnancy they should not be taken until after the fourth month, on account of their speedy action on the blood. * * * Men will find these Tablets a powerful restorative tonic * * * Convalescents * * * where the body has been left emaciated, the blood thin and watery, the nervous system shattered, and the digestive organs too weak to assimilate the food * * * require * * * Chase's Blood and Nerve Tablets."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets contained ferrous carbonate, aloin, capsicum, zinc phosphid, and nux vomica extractive.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements regarding the curative or therapeutic effect of the said article were false and fraudulent in that it contained no ingredients or combination of ingredients capable of producing the effects claimed and in that it was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the said statements.

On November 1, 1920, the United Medicine Co., Philadelphia, Pa., claimant, having admitted the allegations of the libel and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that it be relabeled in a manner satisfactory to this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9755. Misbranding of Robert J. Pierce's Empress Brand pennyroyal tablets. U. S. * * * v. 12 Boxes of Robert J. Pierce's Empress Brand Pennyroyal Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13327. Inv. No. 18314. S. No. C-2151.)

On August 17, 1920, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 boxes of Robert J. Pierce's Empress Brand pennyroyal tablets, at San Antonio, Tex., alleging that the article had been shipped by Robert J. Pierce, Inc., New York, N. Y., on or about June 2, 1919, and transported from the State of New York into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained ferrous sulphate and plant extractives, including tansy and aloes.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing on the label of the box containing the article and in an accompanying circular, regarding the curative and therapeutic effect thereof, (box) " * * * the most Powerful and Reliable Emmenagogue known. The only safe, sure and always effectual remedy in suppression (stoppage) of the menstrual function," (circular) "The Celebrated Female Regulator * * * Active treatment should begin four or five days before the expected reappearance of the menstrual flow. * * * Take one * * * three times daily, * * * follow * * * instructions * * * until the desired result is obtained. * * * emmenagogue medicine * * * they have invariably proved successful. As a Preventative of Irregularities.—Take one * * * three times daily, * * * They can always be depended upon as a monthly regulator," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 29, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9756. Misbranding of Dr. Martel's female pills. U. S. * * * v. 3 Dozen Boxes * * * of * * * Dr. Martel's Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13329. I. S. No. 482-t. S. No. C-2154.)

On August 17, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen boxes, more or less, of Dr. Martel's female pills, remaining unsold at Cincinnati, Ohio, consigned by the McCullough Drug Co., Lawrenceburg, Ind., on June 22, 1920, alleging that the article had been shipped from Lawrenceburg, Ind., and transported from the State of Indiana into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) " * * * Female Pills * * * For (Suppression Of The Menses) Dysmenorrhoea (Painful Menstruation) And Similar Functional Derangements"; (circular) " * * * Female Pills * * * for Disturbances Of The Menstrual Functions * * * For Amenorrhoea (Suppression of the Menses * * *) * * * treatment * * * should be continued until relief is obtained. For Dysmenorrhoea (Painful or Scanty Menstruation) * * * our medicine will be found to give lasting benefit and genuine relief. * * * To prevent difficult, painful, overprofuse and other morbid menstrual conditions, and keep this important function normal, take * * * for a few days before the expected re-appearance of the menstrual flow."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of oil of savin and ferrous sulphate and carbonate.

Misbranding of the article was alleged in substance in the libel for the reason that the label and circular bore and contained the above-quoted statements regarding the curative and therapeutic effect thereof, which were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed and in that it was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the said statements.

On February 19, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9757. Adulteration of canned apples. U. S. * * * v. 296 Cases of Canned Apples. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13796. I. S. No. 2313-t. S. No. C-2557.)

On October 20, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 296 cases of canned apples, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Mid West Products Co., Joplin, Mo., on or about August 9, 1920, and transported from the State of Missouri into the State of Pennsylvania (thereafter returned by the consignee and seized at St. Louis), and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Hawkins' Brand Apples C. A. Hawkins Canning Co. * * * Bentonville, Ark."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On June 3, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9758. Misbranding of Grantillas. U. S. * * * v. 2 Gross Bottles of Grantillas. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 13797. I. S. No. 9753-t. S. No. E-2836.)

On October 22, 1920, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on November 3, 1920, an amendment to said libel, for the seizure and condemnation of 2 gross bottles of Grantillas, at San Juan, P. R., alleging that the article had been shipped by the Eneglotaria Medicine Co., New York, N. Y., on or about April 14, 1919, and transported from the State of New York into the island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained emodin-bearing plant extractives and cramp bark.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding the curative or therapeutic effects thereof, (bottle) "Grantillas," (wrapper) "Medicine prepared especially for diseases affecting ladies and young ladies. Grantillas contain precisely the elements required by the genital organs of women * * * the best existing uterine tonic * * *," (circular) " * * * Grantillas are a special medicine for diseases of ladies and young ladies. * * * for peculiar diseases of the female sex * * * menstrual irregularities * * * When there is absolute absence or scarcity of the flow Grantillas should be regularly taken * * * until the function is duly restored. * * * (when there is anemia or some form of debilitating disease), Grantillas should be used * * * until you are cured. * * * Grantillas are not a drastic emmenagogue, but * * * produce their effect gradually * * * The restorative effects of Grantillas are produced when the medicine is administered regularly * * * as the general health is restored the symptoms * * * will indicate that the flow will occur or will be restored. * * * To tone up the debilitated pelvic organs there is no other specific as commendable as Grantillas. * * * take them persistently * * * to radically correct the debilitated condition of these organs. * * * Uterine colic, painful flow generally known as pain of menstruation. * * * For the radical cure of this disease, whether in congestive, inflammatory or neuralgic form, Grantillas are a true specific which corrects the abnormal condition causing the trouble and obviating the necessity of suffering every month from terrible pain * * * take * * * Grantillas * * * and * * * continue * * * for a few weeks. It frequently happens that a cure is effected in four or five weeks; but in the majority of them more time is required. The patient will in the end not be disappointed and will be able to enjoy life and to attend to her obligations. * * * Leucorrhea (White Flow) * * * a reconstituent medicine and a special uterine tonic, * * * we do not know any other deserving such a definition so justly as Grantillas. * * * Grantillas are very especially indicated in leucorrhea, besides being most valuable in other ailments of the genital organs of women. Use them regularly * * * if you care to cure all troubles causing leucorrhea. * * * Any disease of the uterus or vagina * * * Grantillas are especially prepared for the cure of these diseases * * * it is indispensable to take

Grantillas * * * In anemia and chlorosis Grantillas act as a first class general tonic and * * * should be perseverantly taken * * * nervous debility (nervousness) * * * when * * * nervous disease is due to or is complicated with a disease of the womb or ovaries, Grantillas are indicated as a specific for the special diseases of the female sex. * * * Diseases of the ovaries * * * Use Grantillas constantly * * * Deviation of the uterus * * * falling or prolapse of the womb * * * all kinds of uterine deviation * * * as a restorative and uterine tonic eminently applicable in these cases, there is nothing which will surpass Grantillas * * * Sterility * * * Take Grantillas persistently and without disappointment. We have seen cases in which five or six bottles have produced the desired result; but generally they should be taken during some time * * * also assists greatly in the general health * * * dyspepsia * * * Grantillas should be taken * * * enriching the blood with a special tonic as Grantillas * * * Hysteria * * * is cured, no matter what its cause may be, with the use of Grantillas * * * To prevent abortion * * * after abortion * * * commence the use of Grantillas * * * continue taking Grantillas * * * until * * * strong and robust * * * take Grantillas * * * when * * * pregnant again * * *

We can assure the ladies that the healthful effects of Grantillas in cases of this kind have been demonstrated and proved hundreds of times. Maternity * * * an adequate preparation taken during pregnancy generally results in easy labor and free from horror * * * acquiring force locally and generally with the use of a special medicine like Grantillas. These * * * render vigor and act directly upon the delicate female organism making it able for the performance of its functions at all times. * * * also promotes the secretion of abundant nutrition for the infant, if taken after partus, and they also increase the force and general health of the mother. * * * Death of fetus. Premature labor. Grantillas have rendered surprising results in these cases. * * * the special medicine for the female sex (Grantillas) * * * Our aim * * * is to publish the merits of Grantillas as a special medicine for ladies and young ladies. * * * Every one of the components of Grantillas tends to render health, force, vigor and complete satisfaction to women. The combination is unrivaled * * *," were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 3, 1921, the Dr. Richards Dyspepsia Tablet Association, New York, N. Y., claimant, having consented to a decree without admitting or denying the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9759. Adulteration and misbranding of egg noodles. U. S. * * * v. Lee Lan, Lee Ching Hong, Lee Tung, Lung Pon, Leong Kong, Fong Jung, Lee Kow, Lee Pong, Lee Fook, Lee Dat Chow, Lee Wing, Mark Chung Mong, One Wah, Lee Leong, and Lee Young Lew (Yat Gaw Min Co.). Pleas of guilty. Fine, \$10. (F. & D. No. 14539. I. S. No. 17494-r.)

At the June, 1921, term of the United States District Court within and for the Southern District of New York, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Lee Lan, Lee Ching Hong, Lee Tung, Lung Pon, Leong Kong, Fong Jung, Lee Kow, Lee Pong,

Lee Fook, Lee Dat Chow, Lee Wing, Mark Chung Mong, One Wah, Lee Leong, and Lee Young Lew, copartners, trading as the Yat Gaw Min Co., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about March 3, 1920, from the State of New York into the State of Maryland, of a quantity of egg noodles which were adulterated and misbranded.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water or plain noodles, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength.

Misbranding of the article was alleged for the reason that statements concerning the said article and the ingredients contained therein, to wit, "Our noodles are made of selected flour and fresh eggs. * * * No others like them," were false and misleading in that they represented to the purchaser thereof that the said article was an egg noodle, containing a sufficient and legal amount of egg, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser thereof into the belief that it was real egg noodles, whereas, in truth and in fact, it was not egg noodles but was a plain flour and water noodle containing an insufficient amount of egg, if any egg. Misbranding was alleged for the further reason that the said article was a product composed practically or entirely of flour and water prepared by addition of coloring matter in imitation of egg noodles and was offered for sale under the distinctive name of another article, to wit, egg noodles.

On June 27, 1921, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$10.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9760. Adulteration of milk. U. S. * * * v. John F. McAdams. Plea of nolo contendere. Fine, \$50. (F. & D. No. 8491. I. S. Nos. 827-m, 829-m, 830-m, 831-m, 832-m, 865-m, 866-m, 867-m, 868-m, 869-m, 896-m, 897-m, 954-m, 955-m, 968-m, 969-m, 13-p.)

On July 15, 1918, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John F. McAdams, Newport, Vt., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 19 and 20, August 22, 23, and 24, 1916, and August 23, 1917, respectively, from the State of Vermont into the State of Massachusetts, of quantities of milk which was adulterated.

Examination of samples of the article by the Bureau of Chemistry of this department showed an excessive bacterial count.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On August 15, 1921, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9761. Adulteration of milk. U. S. * * * v. Percy Bradford (A. B. Harris Co.). Plea of nolo contendere. Fine, \$50. (F. & D. No. 8712. I. S. Nos. 12-p, 820-m, 858-m, 821-m, 859-m, 889-m, 948-m, 964-m.)

On July 15, 1918, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Percy Bradford, trading as the A. B. Harris Co., Newport, Vt., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 19 and 20 and August 22, 23, and 24, 1916, respectively, from the State of Vermont into the State of Massachusetts, of quantities of milk which was adulterated.

Examination of samples of the article by the Bureau of Chemistry of this department showed an excessive bacterial count.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On August 15, 1921, the defendant entered a plea of *nolo contendere* to the information, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9762. Adulteration of milk. U. S. * * * v. Westwood Farm Milk Co., a Corporation. Plea of nolo contendere. Fine, \$50. (F. & D. No. 8969. I. S. Nos. 833-m, 834-m, 835-m, 836-m, 838-m, 871-m, 872-m, 874-m, 876-m, 894-m, 957-m, 956-m, 2238-p.)

On November 25, 1918, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Westwood Farm Milk Co., a corporation, having a place of business at Newport, Vt., alleging shipment by said company, under the name of the Newport Milk Co., in violation of the Food and Drugs Act, on or about July 19 and 20 and August 17, 22, and 24, 1916, respectively, from the State of Vermont into the State of Massachusetts, of quantities of milk which was adulterated.

Examination of samples of the article by the Bureau of Chemistry of this department showed an excessive bacterial count.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On August 15, 1921, a plea of *nolo contendere* to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9763. Misbranding of cottonseed meal. U. S. * * * v. The Buckeye Cotton Oil Co., a Corporation. Default judgment of \$50. (F. & D. No. 9717. I. S. Nos. 15411-p, 15418-p.)

On April 28, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Buckeye Cotton Oil Co., a corporation, having a place of business at Little Rock, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 17, 1917, from the State of Arkansas into the State of Michigan, of two consignments of cottonseed meal which was misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed, with respect to one consignment, crude protein 34.81 per cent and ammonia 6.77 per cent, and with respect to the other consignment, crude protein 33.81 per cent, ammonia 6.64 per cent, and crude fiber 14.80 per cent.

Misbranding of the article was alleged in the information for the reason that the respective statements, to wit, "Protein 36.00% * * * Ammonia 7.00%" and "Protein 36.00% * * * Ammonia 7.00% Fibre 14.00%," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the said article contained not less than 36 per cent of protein and not less than 7 per cent of ammonia and that the product involved in one of the shipments contained not more than 14 per cent of fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said article

contained not less than 36 per cent of protein and not less than 7 per cent of ammonia and that the product involved in one of the consignments contained not more than 14 per cent of fiber, whereas, in truth and in fact, the said article contained less than 36 per cent of protein, less than 7 per cent of ammonia, and the product involved in one of the consignments contained more than 14 per cent of fiber.

On December 22, 1919, no appearance having been entered on behalf of the defendant company, which at that time was defunct, a judgment by default was entered by the court in the sum of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9764. Misbranding of vegetable regulator and iron elixir. U. S. * * * v. Charles S. Miller. Plea of guilty. Fine, \$200 and costs. (F. & D. No. 11040. I. S. Nos. 6695-r, 6696-r.)

On February 14, 1921, the Grand Jurors of the United States within and for the District of Indiana, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district returned in the District Court of the United States for the district aforesaid an indictment in four counts against Charles S. Miller, Vincennes, Ind., charging shipment by said defendant, on or about August 7, 1919 [1918], and January 13, 1919, respectively, in violation of the Food and Drugs Act, as amended, from the State of Indiana into the State of Missouri, of quantities of iron elixir and improved vegetable regulator, respectively, which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the vegetable regulator was an alkaline, aqueous solution containing emodin (aloes) and sodium bicarbonate, slightly flavored with oil of peppermint, with a small amount of alcohol present; and that the iron elixir was a dilute, slightly acid aqueous solution of sodium citrate and iron chlorid, with a slight trace of alcohol present.

Misbranding of the vegetable regulator was charged in the indictment for the reason that the following statements concerning the said article, appearing on the labels, to wit, "Vegetable Regulator * * * Guaranteed under the Pure Food and Drug Act of June 30, 1906. Serial No. 2987," were false and misleading in that they represented to purchasers of the said article that it was composed exclusively of vegetable substances, that it was guaranteed by the United States not to be adulterated or misbranded, and that the said guarantee was numbered with the serial number 2987, whereas, in fact and in truth, the article was not composed exclusively of vegetable substances, it was not guaranteed by the United States in any manner or for any purpose whatever, and it had no guaranty under any serial or other number. Misbranding was charged in substance with respect to both products for the reason that certain statements appearing on the labels of the respective bottles and cartons containing the articles, concerning the curative and therapeutic effects thereof, falsely and fraudulently represented that the vegetable regulator was effective as a treatment, remedy, and cure for diseases of the liver, sick and nervous headache, jaundice, restlessness, nervousness, depression of the spirit, acute pain and distress from indigestion, sleeplessness, and all diseases pertaining to the stomach and bowels and arising from disorder thereof, effective to restore the functions of the alimentary canal and its accessories to their normal action, to complete digestion when the stomach has failed, to correct all irregularities and overcome the most desperate chronic case, and effective as a treatment, remedy, and cure for neuralgia, female disorders, rheumatism and fever and ague caused by biliousness; and that the iron elixir was effective as a treatment, remedy, and cure for pimples and boils, as a blood purifier in

depressed states of the blood, to correct the inroads made upon the system by the ravages of impure blood, and to remove from the blood those humors and principles which disturb its purity, whereas, in fact and in truth, they were not.

On March 8, 1921, the defendant entered a plea of guilty to the indictment, and the court imposed a fine of \$200 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9765. Adulteration of shell eggs. U. S. * * * v. Eli R. Williams (Williams Produce Co.). Plea of guilty. Fine, \$50. (F. & D. No. 11961. I. S. No. 8606-r.)

On May 24, 1920, the United States attorney for the District of North Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Eli R. Williams, trading as the Williams Produce Co., Fargo, N. D., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 8, 1919, from the State of North Dakota into the State of Minnesota, of a quantity of shell eggs which were adulterated.

Examination of 10 cases, 180 eggs from each case, of the article by the Bureau of Chemistry of this department showed the presence of 229, or 12.7 per cent, inedible eggs, consisting of black rots, mixed or white rots, moldy eggs, spot rots, and heavy blood rings.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, putrid, and decomposed animal substance.

On August 26, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9766. Adulteration and misbranding of canned tuna fish. U. S. * * * v. 119 Cases and 50 Cases of * * * Tuna Fish. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 12060, 12061, 12062, 12147. I. S. Nos. 14151-r, 13525-r, 14158-r. S. Nos. E-1912, E-1975.)

On December 5, 1919, and February 14, 1920, respectively, the United States attorney for the Western District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 119 cases and 50 cases of tuna fish, consigned by the White Star Canning Co., East San Pedro, Calif., remaining unsold in the original unbroken packages, in part at Elmira and in part at Corning, N. Y., alleging that the article had been shipped from East San Pedro, Calif., on or about October 2 and September 23, 1919, respectively, and transported from the State of California into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that striped tuna (*Gymnosarda pelamis*) had been mixed and packed with, and substituted wholly or in part for, California tuna.

Misbranding was alleged in substance for the reason that the statements, "Blue Fin White Meat Tuna, Selected White Meat of California Tuna," borne on the packages containing the said article, were false and misleading in that they represented the said article to be meat of the California blue fin tuna, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was California blue fin tuna, whereas, in truth and in fact, it was not, but was composed wholly or in part of striped tuna (*Gymnosarda pelamis*). Misbranding was alleged for the further

reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On March 1, 1920, the White Star Canning Co., East San Pedro, Calif., claimant, having admitted the allegations of the libels and having consented to a decree, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the claimant relabel each case and can, under the supervision of this department, with a statement indicating the kind of fish contained therein.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9767. Misbranding of DeLacy's Cin-Ko-Na and Iron. U. S. * * * v. 33 Bottles * * * of * * * DeLacy's Cin-Ko-Na and Iron. Default decree finding product to be misbranded and ordering its destruction. (F. & D. No. 12241. I. S. No. 9301-r. S. No. C-1828.)

On March 9, 1920, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 33 bottles of DeLacy's Cin-Ko-Na and Iron, at Fort Smith, Ark., alleging that the article had been shipped by the DeLacy Chemical Co., St. Louis, Mo., September 20, 1919, and transported from the State of Missouri into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "DeLacy's Cin-Ko-Na and Iron * * * Nervousness. Impure Blood, * * * Blood Diseases & Rheumatism * * * p'ples"; (carton) "A Valuable Remedy For All Blood Diseases, Rheumatism, Catarrh And All Nervous Diseases. * * * Builds up the entire Nervous System Allays Kidney and Bladder Troubles of all kinds, * * * Nervous Debility. Paralysis, Headache, etc. * * * Catarrh In All Its Forms * * * Liver Complaints, * * * Invigorates the Kidneys, * * * is a perfect Remedy in all Chronic Diseases peculiar to Women. * * * Coughs, Colds, Grip. Bronchitis and Catarrh of the Stomach. * * * Pimples, Ulcers, Skin Troubles, Scrofula, and All Diseases arising from Impure Blood, Nervous Troubles Neuralgia, * * * Sleeplessness, Dizziness, Blues, * * * Despondency. Tobacco and Alcoholic Excess, and Nervous Prostration. Malaria Chills and Fever. * * * completely kills all Malaria Germs. Indigestion Dyspepsia. * * * for all Stomach and Bowel Troubles. It Is Of Great Benefit And Most Useful For Consumption and all Wasting Diseases, Kidney and Bladder Troubles, and Brights Disease. It Is An Excellent Remedy For Correcting all Female Complaints, Irregularities, Weakness, Painful Menstruation, Whites, and General Debility."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained quinine, strychnine, laxative drug extractives, iron compound, glycerin, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles and cartons, were false and fraudulent in that they were applied to the said article so as to represent falsely and fraudulently and to create in the minds of purchasers thereof the impression and belief that the said article was effective as a remedy for the diseases named therein, when, in truth and in fact, the said article did not contain ingredients or medicinal agents capable of producing the effects claimed.

On August 11, 1921, no claimant having appeared for the property, judgment of the court was entered finding the product to be misbranded and ordering that it be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9768. Adulteration and misbranding of olive oil. U. S. * * * v. George Coroneos, Peter Coroneos, and Horace Coroneos (Coroneos Bros.). Pleas of nolo contendere. Fine, \$100. (F. & D. No. 12887. I. S. Nos. 13273-r, 14892-r, 15559-r, 15562-r, 16247-r, 16248-r.)

On November 8, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George Coroneos, Peter Coroneos, and Horace Coroneos, copartners, trading as Coroneos Bros., Philadelphia, Pa., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, from the State of Pennsylvania, as follows: On or about February 15, 1919, into the State of New York, of a quantity of Miguel Moreno Moncayo olive oil; on or about January 30 and February 10, 1919, into the State of Maryland and the District of Columbia, respectively, of quantities of an article labeled "Grecco"; and on or about February 1, 1919, into the State of Georgia, of quantities of Italia Brand olive oil and Hellenic Ideal Brand olive oil, all of which were adulterated and misbranded; and on or about March 27, 1919, into the State of New Jersey, of a quantity of Italia Brand olive oil which was misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the Miguel Moreno Moncayo Brand, both consignments of the product labeled "Grecco," and the consignment of the Italia Brand of February 1, 1919, into Georgia, consisted largely and in most cases almost entirely of cottonseed oil, and that the consignment of Hellenic Ideal Brand consisted largely of cottonseed oil and peanut oil. Examination by the said bureau of 3 cans of the Italia Brand from the consignment of March 27, 1919, into New Jersey, showed an average net volume of approximately 15.08 fluid ounces, or an average shortage of 5.73 per cent.

Adulteration of the article in all consignments, with the exception of that labeled "Italia Brand" of March 27, 1919, into New Jersey, was alleged in the information for the reason that cottonseed oil or cottonseed oil and peanut oil, as the case might be, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in whole or in part for olive oil, which the said article purported to be.

Misbranding was alleged with respect to the Miguel Moreno Moncayo olive oil, the Italia Brand olive oil involved in the consignment of February 1, 1919, into Georgia, and the Hellenic Ideal Brand olive oil, for the reason that the statements, to wit, "Olive Oil Malaga Spain," "Prodotti Italiani Olio di Oliva Pure Olive Oil Sopraffino Italia Brand Lucca Toscana Italia," and "Pure Olive Oil," together with the design and device of a woman in Greek national dress and Greek flags, borne on the cans containing the article, respectively, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the said article was olive oil, that it was a foreign product, to wit, an olive oil produced in the Kingdom of Spain, Italy, or Greece, as the case might be, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil and that it was a foreign product, to wit, an olive oil produced in the Kingdom of Spain, Italy, or Greece, as the case might be, whereas, in truth and in fact, it was not olive oil but was a mixture composed in part of cottonseed oil or cottonseed oil and peanut oil, and it was not

a foreign product, but was a domestic product, to wit, an article produced in the United States of America. Misbranding was alleged for the further reason that it was a mixture composed in part of cottonseed oil or cottonseed oil and peanut oil, as the case might be, prepared in imitation of olive oil and was offered for sale and sold under the distinctive name of another article, to wit, olive oil, and for the further reason that the said statements, designs, and devices purported the article to be a foreign product when not so. Misbranding was alleged with respect to the Miguel Moreno Moncayo olive oil and the Italia Brand olive oil involved in the consignment of February 1, 1919, into Georgia, for the further reason that it was falsely branded as to the country in which it was manufactured and produced in that it was branded as manufactured and produced in the Kingdom of Spain or Italy, as the case might be, whereas it was manufactured and produced in the United States of America. Misbranding was alleged with respect to the consignment of Italia Brand olive oil of March 27, 1919, into New Jersey, for the reason that the statement, to wit, "Net Contents 1/8 Gall," borne on the cans containing the article, regarding the article, was false and misleading in that it represented that each of the said cans contained $\frac{1}{8}$ gallon net of the said article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said cans contained $\frac{1}{8}$ gallon net of the article, whereas, in truth and in fact, each of the said cans did not contain $\frac{1}{8}$ gallon but did contain a less amount. Misbranding was alleged for the further reason that the said article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package. Misbranding of both consignments of the product labeled "Grecco" was alleged for the reason that the statement, to wit, "Grecco," borne on the cans containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the said article was Greek olive oil, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was Greek olive oil, whereas, in truth and in fact, it was not Greek olive oil but was a mixture composed in large part of cottonseed oil.

On June 28, 1921, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of \$100.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9769. Adulteration and misbranding of alleged cider vinegar. U. S. * * * v. 26 Barrels of Alleged Cider Vinegar. Consent decree of condemnation and forfeiture. Product released under bond.
(F. & D. No. 12916. I. S. No. 14477-r. S. No. E-2318.)

On June 14, 1920, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 26 barrels of alleged cider vinegar, remaining unsold in the original unbroken packages at Springville, N. Y., consigned by the National Vinegar Co., St. Louis, Mo., alleging that the article had been shipped from Butler, Ind., on or about March 16, 1920, and transported from the State of Indiana into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a product made from corn sugar had been mixed and packed with, and substituted wholly or in part for, cider vinegar.

Misbranding was alleged in substance for the reason that the statement "Cider Vinegar" borne on the barrels containing the article was false and

misleading in that it represented the said article to be cider vinegar, and for the further reason that the barrels were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said article was cider vinegar, whereas, in truth and in fact, it was not cider vinegar but was composed wholly or in part of a product made from corn sugar. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On September 13, 1920, the National Vinegar Co., St. Louis, Mo., claimant, having admitted the allegations of the libel and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$800, in conformity with section 10 of the act, conditioned in part that the claimant relabel the said product in a manner satisfactory to this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9770. Adulteration of canned salmon. U. S. * * * v. 998 Cases of Uncle Salmon Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13114. I. S. No. 2380-t. S. No. C-2058.)

On or about July 27, 1920, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 998 cases of canned salmon, remaining in the original unbroken packages at Meridian, Miss., alleging that the article had been shipped by the Cascade Packing Co., Anacortes, Wash., on or about June 8, 1920, and transported from the State of Washington into the State of Mississippi, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Uncle Salmon Brand Puget Sound Chum Salmon. Packed by Cascade Packing Company, Anacortes, Wash."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On September 14, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and on December 20, 1920, it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9771. Misbranding of Madame Dean female pills. U. S. * * * v. 24 Packages, More or Less, of * * * Madame Dean Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13284. Inv. No. 23563. S. No. C-2439.)

On August 30, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 packages, more or less, single strength, and 12 packages, more or less, double strength, Madame Dean female pills, remaining in the original unbroken packages at St. Joseph, Mo., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on or about September 5, 1919, and transported from the State of Pennsylvania into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box and wrapper) "* * * Female Pills * * * give relief in Female Disorders of the menstrual functions. * * * for Painful, Irregular and Scanty Menstruation"; (booklet) "* * * irregular, prolonged, or suppressed menstruation. * * * Female Pills afford re-

lief for these ailments. * * * a remedy intended solely for the relief of Amenorrhoea, Dysmenorrhoea, scanty and irregular menstruation, and other derangements of the reproductive system * * * especially valuable in the functional changes * * * of the menopause or change of life. * * * act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation, and assist in re-establishing or restoring, the menstrual or monthly periods. * * * strengthen and build up the uterine functions"; (circular) " * * * a great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel, * * * for irregular, painful, scanty or suppressed menstruations, * * * should be taken * * * to assist nature with * * * disorders * * * during the change of life period. * * * Continue with the treatment until they give relief. * * * great relief from Pains or Headache; * * * for suppressed Menstruation, * * * continue their use until relieved * * * take * * * until the menstrual flow commences again. * * * Special Strength * * * should relieve the most obstinate cases * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the single strength pills contained quinine, aloes, ferrous sulphate, hydrastis, ginger, and cornstarch, and that the double strength pills contained quinine, aloes, ferrous sulphate, senecio flowers and herb, ginger root, and cornstarch.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing on the wrappers and boxes containing the article and in the booklet and circular inclosed therein, regarding the curative and therapeutic effects of the said article, were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On October 7, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9772. Misbranding of Kellogg's Sanitone Wafers. U. S. * * * v. 12 Packages * * * of * * * Kellogg's Sanitone Wafers. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13342. I. S. No. 3127-t. S. No. C-2139.)

On August 16, 1920, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 packages of Kellogg's Sanitone Wafers, remaining unsold in the original packages at Owensboro, Ky., consigned by the F. J. Kellogg Co., Battle Creek, Mich., January 14, 1918, alleging that the article had been shipped from Battle Creek, Mich., and transported from the State of Michigan into the State of Kentucky, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Circular) " * * * The Uses Of Chromium Sulphate in Medicine * * * We recommend and advise you to give Kellogg's Sanitone Wafers a fair, persistent trial in any of the diseases or troubles mentioned in the above article. * * * cystitis * * * prostatic enlargements * * * uterine fibroid tumors * * * Herpes preputialis * * * Cirrhosis of the female breast, castration, menopause, functional impotency in men, chronic alcoholism, nervous vomiting and vomiting in pregnancy, * * * neurasthenia, exophthalmic goiter, and locomotor ataxia are of particular interest and importance. Results from this salt [chromium sulphate] are speedy and striking. In * * * neurasthenia it

deserves the unique position of being the only drug which is curative, * * * Locomotor ataxia is curable with chromium sulphate. * * * Wafers have Chromium Sulphate as their chief ingredient."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of extracts of plants, including nux vomica, red pepper, and a laxative drug, and compounds of iron, calcium, chromium, and sulphur.

Misbranding of the article was alleged in substance in the libel for the reason that the circular bore the above-quoted statements regarding the curative or therapeutic effect thereof, which were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 22, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9773. Misbranding of Kellogg's Sanitone Wafers. U. S. * * * v. 3 Dozen Packages of Kellogg's Sanitone Wafers. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13343. Inv. No. 18315. S. No. C-2112.)

On August 17, 1920, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen packages of Kellogg's Sanitone Wafers, at San Antonio, Tex., alleging that the article had been shipped by the F. J. Kellogg Co., Battle Creek, Mich., on or about April 8, 1918, and transported from the State of Michigan into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of extracts of plants, including nux vomica, red pepper, and a laxative drug, and compounds of iron, calcium, chromium, and sulphur.

Misbranding of the article was alleged in substance in the libel for the reason that there appeared in a circular accompanying the package containing the said article the following statements, "* * * We recommend and advise you to give Kellogg's Sanitone Wafers a fair, persistent trial in any of the diseases or troubles mentioned in the above article. * * * cystitis * * * prostatic enlargement * * * uterine fibroid tumors * * * Herpes preputialis * * * Cirrhosis of the female breast, castration, menopause, functional impotency in men, chronic alcoholism, nervous vomiting and vomiting in pregnancy, * * * neurasthenia, exophthalmic goiter, and locomotor ataxia are of particular interest and importance. Results from this salt [chromium sulphate] are speedy and striking. In * * * neurasthenia it deserves the unique position of being the only drug which is curative, * * * Locomotor ataxia is curable with chromium sulphate. * * * Wafers have Chromium Sulphate as their chief ingredient," which statements regarding the curative effect of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 29, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9774. Misbranding of Winslow's sarsaparilla compound. U. S. * * * v. 3½ Gross Bottles of Winslow's Sarsaparilla Compound. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 13397, 13507. I. S. No. 9081-t. Inv. No. 25151. S. Nos. E-2524, E-2538.)

On August 20, 1920, the United States attorney for the Western District of South Carolina, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3½ gross bottles of Winslow's sarsaparilla compound, at Spartanburg, S. C., alleging that the article had been shipped by the Howard Drug and Medicine Co., Baltimore, Md., one dozen on or about March 27, 1920, and the remainder in two shipments on or about the respective dates April 3 and May 25, 1920, and transported from the State of Maryland into the State of South Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of extract of plant material, including sarsaparilla, potassium iodid, glycerin, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the bottles and cartons containing the same bore certain statements regarding the curative and therapeutic effects of the said article and the ingredients or substances contained therein, to wit, (bottle) " * * * A Reliable Remedy For Scrofula, Chronic Ulcers, Cancerous Ulcers, Necrosis, Diseases of the Bones, Syphilitic Affection, Rheumatism, Female Weakness, Dyspepsia, Pimples and all Skin Diseases and the many Diseases arising from an Impure State of the Blood," (carton) "For Scrofula, Chronic Ulcers, Cancerous Ulcers, Necrosis, Diseases of the Bones, Syphilitic Affections, Rheumatism, Dyspepsia, Pimples, and all Skin Diseases and the many Diseases arising from an impure State of the Blood," which were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 29, 1920, the Howard Drug and Medicine Co., Baltimore, Md., having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9775. Misbranding of Dr. Martel's female pills. U. S. * * * v. 3 Packages * * * of Dr. Martel's Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13404. I. S. No. 4283-t. S. No. C-2216.)

On August 20, 1920, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 packages, more or less, of Dr. Martel's female pills, remaining in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped by the French Drug Co., New York, N. Y., on or about March 18, 1919, and transported from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) " * * * Female Pills * * * For (Suppression Of The Menses) Dysmenorrhoea (Painful Menstruation) And Similar Functional Derangement"; (circular) " * * * Female Pills * * *

for Disturbances Of The Menstrual Functions * * * For Amenorrhoea (Suppression of the Menses * * *) * * * treatment * * * should be continued until relief is obtained. For Dysmenorrhoea (Painful or Scanty Menstruation) * * * our medicine will be found to give lasting benefit and genuine relief. * * * To prevent difficult, painful, over-profuse and other morbid menstrual conditions, and keep this important function normal, take * * * for a few days before the expected re-appearance of the menstrual flow."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of oil of savin and ferrous sulphate and carbonate.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effects thereof were false and fraudulent as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 3, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9776. Misbranding of Nervosex tablets. U. S. * * * v. 1 Dozen Boxes and 10 Packages * * * of * * * Nervosex Tablets. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13360, 13426. I. S. Nos. 486-t, 487-t. S. Nos. C-2150, C-2287.)

On August 17, 1920, the United States attorney for the Southern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 1 dozen boxes and 10 packages, more or less, of Nervosex tablets, remaining unsold at Cincinnati and Norwood, Ohio, respectively, consigned by the United Laboratories, St. Louis, Mo., December 24, 1919, and January 22, 1920, respectively, alleging that the article had been shipped from St. Louis, Mo., and transported from the State of Missouri into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) "Nervosex Tablets A compound of Nerve and Muscle Stimulants for Low Vitality, Lack of Energy, Sexual Weakness * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets contained, essentially, extract of plant material, including nux vomica, and compounds of iron, calcium, zinc, and phosphorus.

Misbranding of the article was alleged in substance in the libels for the reason that the box label bore the above-quoted statements regarding the curative and therapeutic effect thereof, which were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed and in that it was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the said statements.

On February 19, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9777. Misbranding of Gold Medal compound pills. U. S. * * * v. 26 Packages * * * of * * * Gold Medal Compound Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13435. I. S. No. 254-t. S. No. C-2289.)

On August 21, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 26 packages, more or less, of Gold Medal compound pills, remaining in the original unbroken packages at Joplin, Mo., alleging that the article had been shipped by the Royal Drug Co., Chicago, Ill., on or about April 1, 1920, and transported from the State of Illinois into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Circular) "Directions for taking Gold Medal Compound Pills. Begin by taking one Pill before each meal and one at bed time * * * Four or five days before the expected appearance of the menstrual flow, drink freely * * * of hot ginger tea * * * in cases of suppressed menstruation * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of ferrous sulphate, aloes, and oil of pennyroyal.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the circular inclosed in the packages containing the article were false and fraudulent in that the said article did not contain any ingredients or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On October 7, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9778. Misbranding of Madame Dean female pills. U. S. * * * v. 47 Packages (Special) and 52 Packages (Single) * * * of Madame Dean Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13470. I. S. No. 4276-t. S. No. C-2208.)

On August 21, 1920, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 47 packages (special) and 52 packages (single), more or less, of Madame Dean female pills, at Cleveland, Ohio, alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on or about April 19 and May 13, 1920, respectively, and transported from the State of Pennsylvania into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box and wrapper) "* * * Female Pills * * * give relief in Female Disorders of the menstrual functions. * * * for Painful, Irregular and Scanty Menstruation"; (booklet) "* * * irregular, prolonged, or suppressed menstruation. * * * Female Pills afford relief for these ailments. * * * a remedy intended solely for the relief of * * * Dysmenorrhoea, scanty and irregular menstruation, and other derangements of the reproductive system * * * especially valuable in the functional changes * * * of the menopause or change of life. * * * act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation * * * strengthen and build up the uterine function"; (circular) "* * * a great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood; assist to bring nature into its proper channel, * * * for

irregular, painful, scanty or suppressed menstruations, * * * should be taken * * * to assist nature with * * * disorders * * * during the change of life period. * * * great relief from Pains or Headache; * * * for suppressed menstruation, * * * continue their use until relieved * * * take * * * until the menstrual flow commences again. * * * Special Strength * * * should relieve the most obstinate cases * * *."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the special strength pills contained quinine, aloes, ferrous sulphate, senecio flowers and herb, ginger root, and cornstarch, and that the single strength pills contained quinine, aloes, ferrous sulphate, hydrastis, ginger, and cornstarch.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effects thereof were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 11, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9779. Adulteration of shell eggs. U. S. * * * v. William Robert Haddock. Plea of guilty. Fine, \$75. (F. & D. No. 14342. I. S. Nos. 4208-t, 4226-t.)

On May 2, 1921, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William Robert Haddock, Henshaw, Ky., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 18 and 21, 1920, respectively, from the State of Kentucky into the State of Indiana, of quantities of shell eggs which were adulterated.

Examination by the Bureau of Chemistry of this department of samples taken from both consignments showed 11.11 per cent and 13.33 per cent, respectively, of inedible eggs, consisting of mixed or white rots, moldy eggs, spot rots, and heavy blood rings.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On May 2, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$75.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9780. Misbranding of Prescription 1000 Internal. U. S. * * * v. 12 Bottles * * * of Prescription 1000 Internal. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10697. I. S. No. 8817-r. S. No. C-1317.)

On June 23, 1919, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 bottles of Prescription 1000 Internal, remaining unsold in the original unbroken packages at Madison, Wis., alleging that the article had been shipped by the Reese Chemical Co., Cleveland, Ohio, March 6, 1919, and transported from the State of Ohio into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs act, as amended. The article was labeled in part: (Carton) "Prescription 1000 Internal Is The Most Efficient

Treatment For Gleet and Gonorrhœa * * * New Discovery For Gonorrhœa And Gleet * * * Also A Very Good Treatment For Bladder Troubles Frequent Urination Inflammation And Acid Urine * * * Contains no harmful ingredients or dangerous drugs; will not injure the most delicate stomach; and if directions are followed will be found very efficient."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an emulsion composed of copaiba balsam, a small amount of alkali, and water, flavored with methyl salicylate.

It was alleged in substance in the libel that the article was misbranded in that the above-quoted statements appearing on the carton were false and misleading and calculated to deceive and mislead purchasers thereof for the reason that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed and in that it was not a most efficient treatment for gleet and gonorrhœa, was not a very good treatment for bladder troubles, frequent urination, inflammation, and acid urine, did contain harmful ingredients and dangerous drugs and would injure a delicate stomach, and if directions were followed would be found very inefficient.

On August 9, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9781. Adulteration and misbranding of barley feed. U. S. * * * v. Hormel Milling Co., a Corporation. Plea of guilty. Fine, \$10.
(F. & D. No. 13244. I. S. No. 10697-r.)

On May 17, 1921, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Hormel Milling Co., a corporation, Austin, Minn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 26, 1918, from the State of Minnesota into the State of Illinois, of a quantity of barley feed which was adulterated and misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it contained at least 7.5 per cent of weed seeds and small grains, apparently barley screenings.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, screenings, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in part for barley feed, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Barley Feed," borne on the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that the said statement represented that the article consisted wholly of barley feed, and for the further reason that the said article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of barley feed, whereas, in truth and in fact, it consisted in part of screenings. Misbranding was alleged for the further reason that the article was a mixture composed in part of screenings, prepared in imitation of barley feed, and was offered for sale and sold under the distinctive name of another article, to wit, barley feed.

On May 17, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9782. Adulteration and misbranding of vanilla extract. U. S. * * * v. 30 Gallons * * * of * * * Vanilla Extract. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13253. I. S. No. 1731-t. S. No. C-2156.)

On August 14, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 gallons, more or less, of vanilla extract, remaining unsold at Middletown, Ohio, consigned by the W. B. Wood Mfg. Co., St. Louis, Mo., July 6, 1920, alleging that the article had been shipped from St. Louis, Mo., and transported from the State of Missouri into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Half-barrel) " * * * A Perfect Ice Cream Flavor Manufactured by W. B. Wood Mfg. Co., St. Louis, Mo."

Adulteration of the article was alleged in the libel for the reason that an imitation vanilla extract, artificially colored, had been mixed and packed with, and substituted wholly or in part for, the said article.

Misbranding was alleged for the reason that the statement appearing on the label, "A Perfect Ice Cream Flavor," was false and misleading and deceived and misled purchasers, and for the further reason that the said article was an imitation of, and was sold and offered for sale under the distinctive name of, another article.

On February 24, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9783. Misbranding of Dr. A. W. Chase's nerve pills. U. S. * * * v. 3 Dozen Packages * * * of * * * Dr. A. W. Chase's Nerve Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13260. I. S. No. 11686-t. S. No. C-2130.)

On August 13, 1920, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen packages, more or less, of Dr. A. W. Chase's nerve pills, remaining unsold in the original unbroken packages at Louisville, Ky., consigned by the Dr. A. W. Chase Medicine Co., Buffalo, N. Y., March 27, 1920, to Cincinnati, Ohio, alleging that the article had been shipped from Cincinnati, Ohio, and transported from the State of Ohio into the State of Kentucky, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Label) "Builds Up The System Cures Thin & Watery Blood Nervous Prostration Nervous Headache Female Trouble Pale & Sallow Complexion Heart Failure Dizziness & Fainting Sleeplessness And General Weakness * * *"; (circular) "Hysteria, Hystero-epilepsy, Epilepsy, St. Vitus dance, Paralysis, Locomotor-Ataxia, Insanity * * * await * * * the chance to enter. The Cure Is alone found in Dr. A. W. Chase's Nerve Pills. A medicine rich in all the elements that go to make rich red blood and to supply the hungry nerves with proper nourishment, a medicine that supplies what is lacking, the very essence of existence, the active principle of life—Nerve Force. * * * Sexual Wrecks. * * * in Dr. A. W. Chase's Nerve Pills, the victim of excess finds a medicine that reaches the seat of trouble and cures * * * re-invigorates, by re-supplying the very essential of health, Nerve Force. Once this health-giving force reaches the relaxed and debilitated organ in proper quantity, the organ begins to rebuild itself, and takes its place as capable as ever of carrying out its work, * * * Oe-

casional Irregularity, Or * * * slight and fearfully painful menstruation. * * * the absence of a healthy flow, * * * a complete relaxation and loss of power upon the part of the uterine organs * * * It is in such cases as these, * * * that * * * Nerve Pills show their sterling qualities, * * * by re-supplying the element lacking, Nerve Force. * * * Sterility. * * * The * * * use of * * * Nerve Pills always results in an awakening and return of power to those organs * * * Girlhood to Womanhood. * * * Nerve Pills * * * by their ability to supply a world of nerve force and physical energy, and to manufacture the richest quality of blood, makes the passage * * * easy and safe * * * Feeble Little Ones. * * * due to * * * Diphtheria, Measles, Scarlet Fever, etc. * * * Nothing could reach * * * in a more rapid or happy manner than do * * * Nerve Pills, a preparation designed expressly to furnish to these weak and puny little ones all that is essential to their re-building and re-invigorating. * * * a true tonic, * * * results once obtained are doubly certain and lasting. * * * This is the only medicine that cures by rebuilding, re-invigorating, and re-supplying what is lacking—good blood and nerve force * * *.”

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills contained aloes, ferrous sulphate, manganese, arsenic, and strychnine.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing on the labels of the packages containing the article and in the circulars inclosed therein, regarding the curative or therapeutic effect of the said article, were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 4, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9784. Misbranding of Pierce's pennyroyal tablets and Empress Brand tansy, cotton root, pennyroyal, and apiol tablets. U. S. * * * v. 25 Packages of Pierce's Pennyroyal Tablets and 72 Packages of Empress Brand Tansy, Cotton Root, Pennyroyal, and Apiol Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13276. I. S. Nos. 5807-t, 5809-t. S. Nos. E-2664, E-2661.)

On August 31, 1920, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 packages of Pierce's pennyroyal tablets and 72 packages of Empress Brand tansy, cotton root, pennyroyal, and apiol tablets, at Pittsburgh, Pa., consigned by Robert J. Pierce, Inc., New York, N. Y., alleging that the articles had been shipped from New York, N. Y., June 2, 1920, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the pennyroyal tablets contained ferrous sulphate and plant extractives, including tansy and aloes, and that the tansy, cotton root, pennyroyal, and apiol tablets contained ferrous sulphate and plant extractives, including pennyroyal and aloes.

Misbranding of the articles was alleged in substance in the libel for the reason that the following statements regarding the therapeutic or curative

effects thereof, appearing on the respective labels, to wit, (Pierce pennyroyal tablets) (box) " * * * the most Powerful and Reliable Emmenagogue known. The only safe, sure and always effectual remedy in suppression (stoppage) of the menstrual function," (circular) "The Celebrated Female Regulator * * * Active treatment should begin four or five days before the expected reappearance of the menstrual flow. * * * Take one * * * three times daily, * * * follow * * * instructions * * * until the desired result is obtained. * * * emmenagogue medicine * * * they have invariably proved successful. As a Preventative of Irregularities.—Take one * * * three times daily, * * * They can always be depended upon as a monthly regulator," (Empress Brand tansy, cotton root, pennyroyal, and apiol tablets) (label) "Robert J. Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal and Apiol Tablets. A Safe Emmenagogue, Always Reliable And Effective. The Best Known Remedy For The Suppression Of The Menstrual Function," (circular) " * * * Tansy, Cotton Root, Pennyroyal and Apiol Tablets * * * The Celebrated Female Regulator * * * Delayed Menstruations When the suppression is of long standing, * * * take one * * * until four days before the time when the menses should appear. * * * immediately preceding the expected appearance of the menstrual flow, active treatment should begin. Take one * * * three times daily, * * * follow * * * instructions * * * until the desired result is obtained. * * * Irregularities Where the menses are not regular, * * * are invaluable. Take * * * before the expected appearance of the menstrual period," were false and fraudulent in that the said statements were applied to the articles so as to represent falsely and fraudulently and to create in the minds of the purchasers thereof the impression and belief that they were effective as remedies for the suppression of the menstrual function, when, in truth and in fact, the said articles were not in whole or in part composed of and did not contain ingredients or a combination of ingredients capable of producing such therapeutic effects.

On June 28, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9785. Misbranding of Hooper's female pills. U. S. * * * v. 210 Packages and 41 Packages * * * of Hooper's Female Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13372, 13373. I. S. Nos. 4280-t, 4295-t. S. Nos. C-2214, C-2215.)

On August 17 and 18, 1920, respectively, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 210 packages and 41 packages, more or less, of Hooper's female pills, remaining in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped by the Horace B. Taylor Co., Philadelphia, Pa., on or about the respective dates February 5, March 30, and June 12, 1920, and transported from the State of Pennsylvania into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Circular) " * * * Female Pills * * * a safe and sovereign remedy in female complaints, * * * an Emmenagogue in producing menstruation. * * * for the removal of Irregularities. * * * are used * * * (except in cases of Pregnancy) * * *"; (wrapper) " * * * opening obstructions of the vessels * * * cure of disorders peculiarly incident to the Female Sex, * * * remedy against those general complaints the Female Sex are subject to; * * * cleanse,

purify, and cause a free circulation of the blood, * * * open those obstructions which Virgins are liable to, * * * best * * * for * * * the irregularities * * * for the palpitation of the heart, giddiness, loathing of food, bad digestion, pains of the stomach, heating of the arteries of the neck, short breath * * * scurvy * * * should be taken by all women at the age of 45 * * * prevent those disorders which usually attend them at that time. * * * sovereign remedy * * * in all hypochondriac, hysterick, or vapourish disorders, * * * strengthen the nerves, * * * for an obstruction of * * * courses, * * * continue their use till the end is answered * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes and ferrous sulphate.

Misbranding of the article was alleged in the libels for the reason that the above-quoted statements appearing in the labeling, regarding the curative and therapeutic effects thereof, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 3, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9786. Misbranding of Dr. A. W. Chase's nerve pills. U. S. * * * v. 314 Packages and 70 Packages * * * of Dr. A. W. Chase's Nerve Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13374, 13375. I. S. Nos. 4287-t, 4299-t. S. Nos. C-2163, C-2164.)

On August 18, 1920, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 314 packages and 70 packages, more or less, of Dr. A. W. Chase's nerve pills, remaining in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped by the Dr. A. W. Chase Medicine Co., Buffalo, N. Y., on or about the respective dates December 31, 1919, and February 16 and July 15, 1920, and transported from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Label) "Used In The Treatment Of * * * Nervous Prostration * * * Nervous Headache Nervous Dyspepsia * * * Irregular Heart Action Dizziness & Fainting Sleeplessness"; (circular) "* * * Nerve Pills impart new life and strength to every organ of the body, create new brain and nerve tissue, and make it next to impossible for the following diseases and symptoms of diseases to set in: Nervous prostration, exhaustion, depression, * * * sleeplessness, * * * lack of energy, ambition, and nerve force, paralysis, and locomotor ataxia; * * * diseased blood, * * * female troubles, leucorrhœa (whites), painful, profuse or suppressed menstruation, tardy development of girls, sexual debility, loss of vital forces, premature decay, heart affections, neuralgia, rheumatism, la grippe and all diseases of the brain and nerves. * * * On account of their extraordinary restorative influence and * * * action on the system * * * Nerve Pills are especially suited to the needs of children. * * * weak and puny boys and girls become strong, healthy and robust. * * * nourish the blood and nerves * * * nourish the weakened and exhausted nervous system back to health and strength, * * * through the nerve fibres, * * * send new vitality through the whole human system. * * * nerves * * * must

be completely restored by such nourishment as can best be supplied by * * * Nerve Pills, the great restorative * * * loss of sensation in the hands, partial loss of memory * * * dizziness and uncertainty in walking. * * * should be treated * * * while there is hope of complete recovery. * * * Nerve Pills, * * * restore the wasted nerve force, * * * by strengthening the nerves give them full control of the female organs. * * * no preparation known * * * will more quickly create new, rich blood than * * * Nerve Pills. * * * contain the life-giving principles that entitle the blood to be called the 'vital fluid'. * * * make pale weak men and women strong and healthy. * * * give to the thin and emaciated a well rounded form which tells of a steady advance in health * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills contained aloes, ferrous sulphate, manganese, arsenic, and strychnine.

Misbranding of the article was alleged in the libels for the reason that the above-quoted statements appearing on the label and circular, regarding the curative and therapeutic effect thereof, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 11, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9787. Adulteration and misbranding of Snappy Apple and Hol-Gin. U. S. * * * v. 2 Sixteen-Gallon Kegs * * * of Beverage. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14201. Inv. Nos. 27355, 27356. S. Nos. C-2685, C-2686.)

On January 27, 1921, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 sixteen-gallon kegs of beverage, labeled in part "Hol-Gin" and "Snappy Apple," respectively, at McGehee, Ark., alleging that the articles had been shipped by the Red Cross Mfg. Co., St. Louis, Mo., on or about December 11, 1920, and transported from the State of Missouri into the State of Arkansas, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the articles was alleged in substance in the libel for the reason that they contained an added poisonous or deleterious ingredient, namely, saccharin, which might render the said articles injurious to health, and for the further reason that saccharin had been mixed and packed therewith and substituted in part for sugar. Adulteration was alleged for the further reason that the said articles had been mixed and colored in a manner whereby damage and inferiority were concealed.

Misbranding was alleged in substance for the reason that the label "Snappy Apple," with respect to one of the products, and the statement "Guarantee. The contents of this package guaranteed to comply with all laws," with respect to both products, were false and misleading and deceived and misled the purchaser when applied to products which contained saccharin and benzoate of soda.

On March 15, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9788. Misbranding of Vitalo. U. S. * * * v. 20 Bottles of Vitalo. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14235. I. S. No. 1653-t. S. No. C-2735.)

On January 22, 1921, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 bottles of Vitalo, remaining unsold in the original unbroken packages at New Iberia, La., alleging that the article had been shipped by the Allan-Pfeiffer Chemical Co., St. Louis, Mo., on or about September 3, 1920, and transported from the State of Missouri into the State of Louisiana, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained vegetable extractive matter, including damiana, nux vomica, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding its curative and therapeutic effect, appearing in the labels of the bottles and cartons containing the article, (bottle) "*** * * A Nerve And Muscle Tonic * * ***" (carton) "*** * * Remedy * * * For General Weakness. * * * Nervous Debility. * * *** for the Nerves, Brain, and Muscles * * *," were false and fraudulent as the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 29, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9789. Adulteration of canned blackberries. U. S. * * * v. 100 Cases of Canned Blackberries * * *. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14708. I. S. No. 10342-t. S. No. W-908.)

On April 5, 1921, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 cases of canned blackberries, consigned by the Skagit Canning Co., Sedro Woolley, Wash., remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped from Sedro Woolley, Wash., on or about February 14, 1921, and transported from the State of Washington into the State of California, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Skagit Brand Blackberries Packed By Skagit Canning Co. Sedro-Woolley Wash. * * *."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy and decomposed vegetable substance.

On August 22, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9790. Misbranding of Craemer's Calculus Corrective or Craemer's remedy for gallstones and stones in the kidneys and urinary bladder. U. S. * * * v. Wm. Craemer Medicine Co., a Corporation. Plea of nolo contendere. Fine, \$25 and costs. (F. & D. No. 7558. I. S. No. 10513-l.)

On September 13, 1916, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the Dis-

strict Court of the United States for said district an information against the Wm. Craemer Medicine Co., a corporation, St. Louis, Mo., alleging shipment by said defendant company, on or about June 18, 1915, in violation of the Food and Drugs Act, as amended, from the State of Missouri into the State of Wisconsin, of a quantity of Craemer's Calculus Corrective or Craemer's remedy for gallstones and stones in the kidneys and urinary bladder, which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was an alkaline, aqueous solution, composed essentially of potassium, sodium, ammonium, phosphate, chlorid, citrate, salicylate, and a small amount of saccharin.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements regarding the therapeutic or curative effects thereof, appearing on the label and included in the circular which accompanied the article, falsely and fraudulently represented it to be effective as a remedy for gallstones, stones in the kidneys, and stones in the urinary bladder or gravel, effective to remove gallstones, stones in the kidney or urinary bladder, and other obstructions in the gall and urine tracts, partly by dissolving them, making them liquid, or only softening and breaking them up, and partly by facilitating their passage through the respective ducts, in distending these ducts, and to prevent the formation of new stones, and effective as a preventive of gallstones and as a cure for gallstones, when, in truth and in fact, it was not.

On April 28, 1921, a plea of *nolo contendere* to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9791. Adulteration of shell eggs. U. S. * * * v. Abraham Amber.
Plea of guilty. Fine, \$10. (F. & D. No. 10894. I. S. Nos. 5901-r, 5910-r.)

On August 24, 1920, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Abraham Amber, of Kansas City, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 21 and September 24, 1918, respectively, from the State of Kansas into the State of Missouri, of quantities of shell eggs which were adulterated.

Examination, by the Bureau of Chemistry of this department, of the two consignments showed 100 per cent and 98 per cent, respectively, of inedible eggs, consisting of black rots, mixed or white rots, and moldy eggs.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On October 4, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9792. Misbranding of Dr. Harper's anti-cholera tonic for hogs. U. S. * * * v. 36 Bottles, 47 Dozen Bottles, and 48 Bottles * * * of Dr. Harper's Anti-Cholera Tonic for Hogs. Default decrees finding product to be misbranded and ordering its destruction. (F. & D. Nos. 11496, 11497, 11678. I. S. Nos. 8463-r, 8464-r, 8740-r. S. Nos. C-1562, C-1595.)

On October 10 and November 21, 1919, respectively, the United States attorney for the Western District of Arkansas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 36 bottles, 47 dozen bottles, and 48

bottles of Dr. Harper's anti-cholera tonic for hogs, in part at Rogers and in part at Mansfield, Ark., alleging that the article had been shipped by the Elite Chemical Co., Watertown, Tenn., April 26, May 23, and August 7, 1919, respectively, and transported from the State of Tennessee into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Shipping case) "The Dr. Harper's Remedies Guaranteed—Every Drop Dr. Harper's Anti-Cholera For Hogs"; (carton) "Dr. Harper's Anti-Cholera Tonic For Hogs Given To Prevent Diseases Of Swine * * * For Worms * * * 'How To Prevent Cholera'"; (folder) "How To Prevent Hog Cholera * * * About every other day give to each hog a tablespoonful of Dr. Harper's Anti-Cholera. * * * in most cases acts as preventive to disease. * * * Use Anti-Cholera and you will have no sick hogs to cure. Your hogs will gain in weight and the meat will be free from disease."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a mixture consisting essentially of sodium bicarbonate, sodium sulphate, iron oxid, sulphur, and ground plant material, including fragments of seeds and hulls.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements regarding the therapeutic and curative effects thereof, appearing upon the labeling of the said article, were false and fraudulent in that they were applied so as to represent falsely and fraudulently and to create in the minds of purchasers thereof the impression and belief that the article was effective as a treatment for hog cholera, when, in truth and in fact, it contained no ingredients or medicinal agents effective as a treatment for hog cholera.

On August 11, 1921, no claimant having appeared for the property, judgments of the court were entered finding the product to be misbranded and ordering its destruction by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9793. Adulteration and misbranding of kidney beans. U. S. * * * v. 59 Cases and 260 Cases * * * of Kidney Beans. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 11943, 11942. I. S. Nos. 8245-r, 8198-r. S. Nos. C-1729, C-1719.)

On February 16, 1920, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 59 cases and 260 cases, more or less, each containing 24 cans, of kidney beans, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Marshall Canning Co., Marshalltown, Iowa, October 9 and November 26, 1919, respectively, and transported from the State of Iowa into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libels for the reason that red cranberry beans or speckled long cranberry beans, as the case might be, had been substituted in whole or in part for red kidney beans, and for the further reason that red cranberry beans or speckled long cranberry beans, as the case might be, had been mixed and packed with the said article so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding was alleged in substance for the reason that each of the cases and cans containing the article was labeled in part as follows, to wit, "Uncle William Brand Red Kidney Beans * * *," or "Witch Brand Red Kidney

Beans * * *," which statements were false and misled and deceived the purchaser in that they represented that the said article was red kidney beans, whereas, in truth and in fact, the said cases and cans contained another article, to wit, red cranberry beans or speckled long cranberry beans, as the case might be. Misbranding was alleged for the further reason that the article was an imitation of, and was sold under the distinctive name of, another article, to wit, red kidney beans.

On August 11, 1921, the Marshall Canning Co., Marshalltown, Iowa, claimant, having admitted all the material allegations of the libel and having consented to a decree, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of good and sufficient bonds, in conformity with section 10 of the act, conditioned in part that the product be relabeled, under the supervision of this department, as "Naga Uzura Kidney Beans."

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9794. Adulteration and misbranding of canned red kidney beans. U. S. * * * v. 100 Cases * * * of Canned Red Kidney Beans. Tried to the court and a jury. Verdict for the Government. Motion for a new trial. Order entered granting new trial and setting aside verdict. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 12091. I. S. No. 7386-r. S. No. C-1732.)

On February 16, 1920, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 cases, more or less, each containing two dozen cans, of red kidney beans, remaining unsold in the original unbroken packages at Louisville, Ky., consigned by the Marshall Canning Co., Marshalltown, Iowa, November 15, 1919, alleging that the article had been shipped from Marshalltown, Iowa, and transported from the State of Iowa into the State of Kentucky, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, (can) "Uncle William Brand Red Kidney Beans * * * Packed by Marshall Canning Co. * * *" (cut of dish containing red beans).

Adulteration of the article was alleged in the libel for the reason that long cranberry beans had been mixed and packed with, and substituted wholly or in part for, the said article.

Misbranding was alleged in substance for the reason that the statement, "Red Kidney Beans," and the design of a dish containing red beans, appearing on the label of the cans containing the article, were false and misleading and deceived and misled the purchaser when applied to a product consisting of long cranberry beans, and for the further reason that the said article was an imitation of, and was sold under the distinctive name of, another article.

On November 8, 1920, the Marshall Canning Co., Marshalltown, Iowa, having entered an appearance as claimant for the property, the case came on for trial before the court and a jury. After the submission of evidence and arguments by counsel the court delivered the following charge to the jury (Evans, D. J.):

"Gentlemen of the jury: This is a suit by the United States in the form of what lawyers call a libel for a judgment against certain packages of beans which you have heard described many times to-day. The pleadings of the United States on which these packages are seized are of such a character as to permit an inquiry which will be left to the jury and the only thing is this: Was the label on these cans and on the packages that contained these cans

misleading in that the statement was that they were red beans and the design on the can contained red beans; whether that was false and misleading and tended to deceive and mislead the purchaser when applied to this product consisting of what the label says and charged were long cranberry beans. The pleadings of the United States are of such a character as to exclude from your consideration, in my judgment, any other feature in the case, and this alone is the claim on which the United States bases its prayer for a judgment of condemnation of this property in this suit, that is, that the statement 'Red Kidney Beans' and the design containing red beans are false and misleading and deceived and misled the purchasers when applied to this product. That is a very simple statement—that they are misleading and deceived and misled the purchasers when applied to this product. The defendants have denied all of those charges and put them in direct issue, and it is for you, gentlemen, to say from all the evidence as to whether that was the purpose of these cans and of the packages that contained them, that is, that the purchasers were misled and deceived.

"You are the sole judge of the weight and credibility of this testimony. It is for you to say what the evidence leads you to conclude about the facts.

"This is not a criminal case. This is a case at law where the preponderance of the evidence is submitted to you to pass conclusion upon. You have heard it all, and as there is a great deal of it, it will probably be a little hard to remember it in all of its details, but you must do the best you can.

"The statute upon which this prosecution is based is called the Pure Food and Drugs Act. The Congress thought it was necessary to protect food, but Congress did not have in mind, I have no idea, certainly it did not say so, that you should prevent people from getting cheaper food. I believe it is a pretty good idea these days if you can get something cheaper. I doubt if Congress intended by this act anything like upholding high prices of food. They are very much reduced here from the testimony here. That may or may not be important in your consideration of this case, but certainly vast quantities of beans have been sold, according to the testimony, many millions of cans of these beans. In this case they were beans that came into this country in a dry state and when they got here they were treated by the packers and canner in the way the testimony has shown; and the question for you to determine is whether they put this brand upon them to deceive or mislead the purchaser into buying, and it is for you to say whether there was any testimony to warrant you in believing that. Upon the facts, there is a plain statement that these are red kidney beans. They are kidney beans, though sometimes called by one name and sometimes by another. My bean experience as a farmer did not lead me to think that there could be the number of beans that I have heard testified to here. But at all events these were beans that were brought into this country and only used for a food product, and the question for you to determine is whether these beans were colored in such a way when cooked as to deceive the purchaser. It is said the boiling brought out the color, but it is for you to say whether that did make the beans red. They were beans in great quantities and they were sold, and the question is, Was it the purpose of the defendant to mislead the public or was it to give the public a good bean at a cheap price? If it was to deceive the public, they brought themselves within the law. Otherwise I cannot say they did under the testimony.

"It is a very simple thing. There are only two alternatives; one is to find for the United States, that is the plaintiff, and to do that you must believe from the preponderance of the evidence that this branding on the can and package was made for the purpose of deceiving the public and in that event you should

say 'We the jury find for the United States.' That is all. If on the contrary you do not believe that and cannot find that this branding was done in this way for the purpose of deceiving—and it might be very strong testimony—it would have been a very strong suggestion but no evidence is here to prove by any purchasers that anybody was deceived. But whether that is so or not, that is not the thing in the case. It might be a circumstance for you to consider. But if you should find from a preponderance of the testimony in this case that this branding was for the purpose of deceiving the purchasers, you should find for the United States; but if upon the other hand you should find that the contrary is the fact, you should say 'We the jury find for the claimant.'

"Take the papers and retire to the jury room, gentlemen, and see if you can reach a verdict."

The jury then retired and after due deliberation returned a verdict for the Government. On November 9, 1920, a motion was made on behalf of the claimant for a new trial, and on December 7, 1920, an order of the court was entered granting a new trial and setting aside the verdict. On May 12, 1921, a stipulation was filed wherein it was admitted by the claimant, "The beans seized in this case are beans which were packed from what is known as Naga Uzura, speckled cranberry, or long cranberry beans," and on the same date judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$300, in conformity with section 10 of the act, conditioned in part that the claimant rebrand and correctly label the product so as to show its true nature and character.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9795. Misbranding of cottonseed cake. U. S. * * * v. Home Oil & Mfg. Co., a Corporation. Plea of guilty. Fine, \$50 and costs.
(F. & D. No. 13085. I. S. No. 5942-r.)

On December 7, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Home Oil & Mfg. Co., a corporation, Augusta, Ark., alleging shipment by said company, on or about January 29, 1919, in violation of the Food and Drugs Act, as amended, from the State of Arkansas into the State of Kansas, of a quantity of cottonseed cake which was misbranded.

Examination of 20 sacks from the consignment, by the Bureau of Chemistry of this department, showed an average weight of 98.51 pounds per sack.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "100 Lbs.," borne on the tags attached to the sacks containing the article, regarding the article, was false and misleading in that it represented that each of the said sacks contained 100 pounds of the said article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said sacks contained 100 pounds of the article, whereas, in truth and in fact, each of the said sacks did not contain 100 pounds of the said article, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 15, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9796. Misbranding of corn feed and flour middlings. U. S. * * * v. Schreiber Milling and Grain Co., a Corporation. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 13236. I. S. No. 12020-r.)

On November 13, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Schreiber Milling and Grain Co., a corporation, St. Joseph, Mo., alleging shipment by said company, on or about November 19, 1919, in violation of the Food and Drugs Act, as amended, from the State of Missouri into the State of Kansas, of a quantity of an unlabeled article, a part of which was invoiced as fancy corn feed and a part as flour middlings, which article was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 7, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9797. Adulteration and misbranding of sirup. U. S. * * * v. 50 Barrels * * * of Sirup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13348. I. S. No. 4901-t. S. No. C-2177.)

On August 17, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 barrels of sirup, at Chicago, Ill., alleging that the article had been shipped by the Federal Extracts Works, Rochester, N. Y., May 10, 1920, and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it was composed of a certain substance, to wit, saccharin, which had been substituted in whole or in part for sirup, which the said article purported to be; for the further reason that saccharin had been mixed and packed with the said article so as to reduce, lower, and injuriously affect its quality and strength; for the further reason that saccharin had been mixed and packed with the said article, whereby damage and inferiority were concealed; and for the further reason that the article contained an added poisonous and deleterious ingredient, to wit, saccharin, which might render it injurious to health.

Misbranding was alleged for the reason that the article was an imitation of, and was offered for sale under the name of, another article of food, namely, sirup.

On June 24, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9798. Adulteration and misbranding of cider vinegar. U. S. * * * v. 60 Barrels of Cider Vinegar, So-Called. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13669. I. S. No. 5712-t. S. No. E-2735.)

On September 8, 1920, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure

and condemnation of 60 barrels of cider vinegar, remaining unsold in the original unbroken packages at Jersey Shore, Pa., alleging that the article had been shipped by the Powell Corp., Canandaigua, N. Y., on or about March 12 and April 30, 1920, respectively, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, (barrel) "Pure Cider Vinegar Made from Apples Reduced to 4% * * *."

Adulteration of the article was alleged in the libel for the reason that apple waste vinegar had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the labeling, to wit, "Pure Cider Vinegar Made From Apples," was false and misleading and deceived and misled the purchaser into the belief that the said article was made from apples, whereas, in truth and in fact, it contained vinegar made from apple waste. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, pure cider vinegar.

On November 9, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9799. Misbranding of Dr. Franklin's Restorative Tablets Velcas. U. S. * * * v. 16 Dozen Packages of Dr. Franklin's Restorative Tablets Velcas. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 13828. I. S. No. 9752-t. S. No. E-2842.)

On November 5, 1920, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 16 dozen packages of Dr. Franklin's Restorative Tablets Velcas, at San Juan, P. R., alleging that the article had been shipped by the Eneglotaria Medicine Co., New York, N. Y., on or about April 14, 1919, and transported from the State of New York into the island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of two preparations, lavender-colored pills containing cascara extractives, iron, manganese, calcium, an iodid, and nuxvomica, and orange-colored pills containing aloes.

It was alleged in substance in the libel that the article was misbranded so as to deceive the purchaser thereof, in that the following statements regarding its curative and therapeutic effect, (bottle) "Dr. Franklin's Restorative Tablets Velcas For diseases of the blood and nerves * * *," (wrapper) "Guaranteed under the Food and Drugs Act June 30, 1906, No. 1481. Dr. Franklin's Restorative Tablets Velcas Special formula * * * for the treatment of diseases of the blood and nerves * * * purifies * * * the blood; * * * They cure Nervousness, Neuralgia, * * * Chronic Catarrh, Eruptions (ordinary or malignant) various Diseases of the Heart, Rheumatism and Sciatica, Sores, Ulcers, Scrofula, certain kinds of Paralysis, Syphilitic Infections, etc. Unrivalled for the treatment of Lack of Vigor and Constitutional Debility in men and women * * *," (circular) "* * * Dr. Franklin's Restorative Tablets Velcas * * * contains the best medicament existing for the diseases of the blood and nerves. * * * We are interested in your

cure * * * After this period has elapsed Dr. Franklin's Restorative Tablets will prepare the future mother for easy parturition. * * * We do not believe that there is a single case of anemia which is not curable with Dr. Franklin's Restorative Tablets. * * * their specific action is not limited to the most simple manifestations of nervous disorders, as Neuralgia, Hysteria, or that multitude of troubles commonly known as Nervousness. Dr. Franklin's Restorative Tablets * * * go beyond that as shown by many cases of Partial Paralysis and even of Locomotor Ataxia cured in different countries. * * * In cases of Paralysis and Ataxia unless there is the firm resolution of persisting in the use of the medicament * * * This treatment (Pastilles, baths, rubbing) is convenient in all nervous diseases and indispensable in cases of Paralysis, Ataxia and Nervous Prostration. To restore the nerves, no matter what symptoms, there is nothing which can compare with Dr. Franklin's Restorative Tablets. Purifying the blood * * * the most adequate to * * * purify the blood. * * * Pastilles are of sure result in cases of anemia and chlorosis * * * in all diseases of the blood manifested in the form of Eruptions (Pimples, etc.), Erysipelas, Herpes, Ulcers and Sores, even when being of syphilitic nature, Dr. Franklin's Restorative Tablets are a specific * * * They are restorative and their mission is much more important—to make bad humors disappear—the poison—of the blood, and to purify it to such an extent that there is no origin for sores. * * * Scrofula. Dr. Franklin's Restorative Tablets * * * supply pure blood. Their effect in scrofulous diseases is admirable. * * * Mental Exhaustion, Loss of Memory, etc. * * * Debility, Emaciation, * * * Diseases of Men. * * * the most notable success of this preparation as regards the restoring of man's vigor * * * special virtue * * * hundreds of men and women are indebted to Dr. Franklin's Restorative Tablets for being fathers and mothers. Among those hundreds there are several old people. * * * to Dr. Franklin's Restorative Tablets the recovery of vigor and energy. * * * Paludic Fever. * * * La Grippe or Influenza. * * * Rheumatism. * * * Catarrh. * * * Pulmonary Phthisis. Which have been cured with the use of Dr. Franklin's Restorative Tablets * * * We repeat that the method consisting of living in the open air as much as possible, taking good food and Dr. Franklin's Restorative Tablets has saved many phthisic people. Epilepsy. * * * in a considerable number of cases a radical cure has been effected. * * * But we may assure: 1st. That by taking Dr. Franklin's Restorative Tablets for some time the attacks diminish in intensity as well as in frequency. 2nd. That there is always the possibility of a complete cure. 3rd. That none of the remedies advertised as 'infallible specific' for these epileptic attacks surpasses Dr. Franklin's Restorative Tablets * * *, "were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 28, 1921, the Dr. Richards Dyspepsia Tablet Association, New York, N. Y., claimant, having consented to a decree without admitting or denying the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9800. Misbranding of Whitlock's child's laxative, cough sirup, cathartic sirup, blood pills, nervine pills, female cordial, kidney and gravel medicine, Red Indian liniment, worm cordial, nerve pills, rheumatic pills, and kidney pills. U. S. * * * v. Whitlock Herb Medicine Co., Inc. Plea of guilty. Fine, \$170. (F. & D. No. 13167. I. S. Nos. 15298-r, 15299-r, 15303-r, 15304-r, 15305-r, 15306-r, 15307-r, 15308-r 15484-r, 15485-r, 15486-r, 15487-r.)

On January 21, 1921, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Whitlock Herb Medicine Co., Inc., Winchester, Va., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, between the dates October 9, 1918, and February 26, 1919, from the State of Virginia into the State of Maryland of quantities of Whitlock's child's laxative and cough sirup, respectively, and from the State of Virginia into the State of West Virginia of quantities of Whitlock's cathartic sirup, blood pills, nervine pills, female cordial, kidney and gravel medicine, Red Indian liniment, worm cordial, nerve pills, rheumatic pills, and kidney pills, respectively, all of which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the child's laxative contained senna, Rochelle salt, sodium salicylate, soda, alcohol, and water; that the cough sirup consisted of extracts of plants, including licorice, sugar, alcohol, and water; that the cathartic sirup contained extracts of plants, including jalap, senna, fennel, and peppermint, sugar, alcohol, and water; that the blood pills contained plant material, including capsicum, aloes, colocynth, and scammony; that the nervine pills contained plant material, including asafetida, valerian, and licorice, and an ammonium compound; that the female cordial contained extract of plants, including senna and jalap, alcohol, sugar, and water; that the kidney and gravel medicine contained volatile oils, including oils of sassafras, anise, and turpentine, and alcohol; that the Red Indian liniment contained oil of turpentine, acetic acid, ammonium chlorid, alcohol, and water; that the worm cordial contained plant extractives, including spigelia and senna, glycerin, a small amount of salicylic acid, sugar, alcohol, and water, flavored with methyl salicylate; that the nerve pills contained colchicine, asafetida, and extract of hops, sugar-coated; that the rheumatic pills contained colocynth, jalap, and guaiac; and that the kidney pills contained copaiba, extract of cubebs, a trace of oil of turpentine, and magnesia.

Misbranding of the child's laxative was alleged in the information for the reason that certain statements, to wit, "Alcohol 3%" and "A safe vegetable composition," borne on the labels attached to the bottles containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the said article contained 3 per cent of alcohol and that it was wholly a vegetable composition, whereas, in truth and in fact, it contained more than 3 per cent of alcohol, to wit, 8 per cent of alcohol, and it was not wholly a vegetable composition but was a mixture composed in part of mineral matter, to wit, sodium carbonate, salicylates, and Rochelle salts. Misbranding was alleged for the further reason that the article contained alcohol, and the labels failed to bear a statement of the quantity and proportion of alcohol contained therein. Misbranding was alleged with respect to the cough sirup, cathartic sirup, female cordial, and kidney and gravel medicine for the reason that the statements, to wit, "Contains 30% Alcohol," "Alcohol 21%," "Alcohol 23%," and "Alcohol 60%," borne on the labels attached to the bottles containing the respective articles, regarding the articles and the ingredients and substances contained therein, were

false and misleading in that they represented that the said articles contained 30 per cent, 21 per cent, 23 per cent, or 60 per cent of alcohol, as the case might be, whereas, in truth and in fact, the cough sirup, cathartic sirup, and female cordial contained less amounts than indicated in said statements, to wit, 15.6 per cent, 17.8 per cent, and 13.71 per cent of alcohol, respectively, and the kidney and gravel medicine contained a greater amount than indicated in said statements, to wit, 74.7 per cent of alcohol. It was alleged in the information that the cough sirup, cathartic sirup, female cordial, and kidney and gravel medicine were further misbranded and that the Red Indian liniment and worm cordial were also misbranded for the reason that they contained alcohol, and the labels failed to bear a statement of the quantity and proportion of alcohol contained in the respective articles. Misbranding was alleged in substance with respect to certain of the articles for the further reason that certain statements, designs, and devices regarding the therapeutic and curative effects of the articles, appearing on the labels of the cartons, bottles, or boxes, as the case might be, containing the respective articles, falsely and fraudulently represented that the cough sirup was effective as a treatment, remedy, and cure for bronchitis, whooping cough, croup, laryngitis, chronic pleuritis, and all affections and diseases of the lungs and throat; that the cathartic sirup was effective as a treatment, remedy, and cure for dyspepsia, biliousness, sick headache, indigestion, loss of appetite, nervousness, sleeplessness, general debility, impure blood, disorders of the liver, stomach, and blood, gastritis, enteritis, and hyperemia; that the blood pills were effective as a treatment, remedy, and cure for bilious and liver complaints, scrofula, syphilis, tumors, carbuncles, pimples, sores, and other affections of the blood; that the nervine pills were effective as a treatment, remedy, and cure for insomnia, low spirits, all nervous affections, nervousness in all forms, loss of sleep, mental depression, all kinds and stages of nervous diseases, irritability, loss of memory, and general debility; that the female cordial was effective as a treatment, remedy, and cure for female weakness, painful, suppressed, and profuse menstruation, leucorrhea, and for all derangements of the female reproductive organs and all diseases peculiar to females; that the kidney and gravel medicine was effective as a treatment, remedy, and cure for all diseases of the kidneys and bladder, Bright's disease, gravel, catarrh, inflammation of the bladder, burning or scalding of the urine, and for all diseases arising from disordered kidneys; that the Red Indian liniment was effective as a treatment, remedy, and cure for rheumatism, neuralgia, sprains, burns, pleurisy, diarrhea, and all painful affections; that the nerve pills were effective as a treatment, remedy, and cure for vertigo, nervous dyspepsia, nervous headache, and other affections of the digestive system; that the rheumatic pills were effective as a treatment, remedy, and cure for rheumatism in all its forms and stages, neuralgia affections, and painful menstruation; and that the kidney pills were effective as a treatment, remedy, and cure for affections and diseases of the kidneys and bladder, when, in truth and in fact, they were not.

On April 26, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$170.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

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United States Department of Agriculture,

BUREAU OF CHEMISTRY.

W. G. CAMPBELL, Acting Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 9801-9850.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., January 17, 1922.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

9801. Misbranding of Nerv-Mintz. U. S. * * * v. 171 Packages, 139 Packages, and 6 Dozen Packages * * * of Nerv-Mintz. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13422, 13423, 13518. I. S. Nos. 2451-t, 4298-t, 13105-t. S. Nos. C-2196, C-2198, C-2412.)

On August 19 and 25, 1920, respectively, the United States attorney for the Northern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district labels for the seizure and condemnation of 171 packages, 139 packages, and 6 dozen packages, more or less, of Nerv-Mintz, remaining in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped by the Earle Chemical Co., Wheeling, W. Va., on or about October 1, 1919, and March 8, April 3 and 26, and May 14, 1920, respectively, and transported from the State of West Virginia into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) "Nerv-Mintz Nerve And Energy Tablets Especially A Nerve Strengthenener * * * Soothe And Quiet The Nerves, * * * Used For The Relief Of Nervousness, Loss Of Vigor, Energy And Ambition—Lack Of Confidence, Sleeplessness, Trembling, Nervelessness, Shifty Gait, Shattered Nerves, Exhausted Or Weakened Vitality, Mental Depression, Numbness, Weakening Habits, * * * And All Overworked And Unstrung Nerves Induced By Fast Living And Other Excesses. * * * Useful In The Treatment Of Nervous Conditions Which Follow Too Strenuous Living, Mental And Physical Fatigue, And Other Excesses"; (circular) "Nerv-Mintz For Nervous Debility * * * Exceptionally Efficient In The Treatment Of Nervousness, Loss Of Vigor, Energy And Ambition, Lack Of Confidence, Sleeplessness, Shifty Gait, Shattered

Nerves, Weakened Or Exhausted Vitality, Mental Or Physical Depression, Weakening Habits, * * * And For All Over-Worked And Unstrung Nerves Induced By Fast Living And Other Excesses. * * * To all those who * * * suffer from the effects of fast living, over-work and the drains of present day strenuous excesses, Nerv-Mintz prove most wonderful rejuvenators, restoring the lost vitality you perhaps had thought was gone forever. Generally results are quick. * * * Keep up the treatment * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of sabal, nux vomica, zinc phosphid, capsicum, and aloin.

Misbranding of the article was alleged in the libels for the reason that the above-quoted statements regarding the curative and therapeutic effects thereof, appearing in the labeling of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 3, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9802. Misbranding of Nerv-Mintz. U. S. * * * v. 3 Dozen Packages of * * * Nerv-Mintz. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13511. I. S. No. 7818-t. S. No. E-2593.)

On August 25, 1920, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen packages of Nerv-Mintz, remaining in the original unbroken packages at Harrisburg, Pa., alleging that the article had been shipped by the Earle Chemical Co., Wheeling, W. Va., on or about July 20, 1920, and transported from the State of West Virginia into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of sabal, nux vomica, zinc phosphid, capsicum, and aloin.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding the curative and therapeutic effects, appearing in the labeling, (box) "Nerv-Mintz Nerve And Energy Tablets Especially A Nerve Strengthenner * * * Soothe And Quiet The Nerves, * * * Used For The Relief Of Nervousness, Loss Of Vigor, Energy And Ambition—Lack Of Confidence, Sleeplessness, Trembling, Nervelessness, Shifty Gait, Shattered Nerves, Exhausted Or Weakened Vitality, Mental Depression, Numbness, Weakening Habits, * * * And All Overworked And Unstrung Nerves Induced By Fast Living And Other Excesses. * * * Useful In The Treatment Of Nervous Conditions Which Follow Too Strenuous Living. Mental And Physical Fatigue, And Other Excesses," (circular) "Nerv-Mintz For Nervous Debility * * * Exceptionally Efficient In The Treatment Of Nervousness, Loss Of Vigor, Energy And Ambition, Lack Of Confidence, Sleeplessness, Shifty Gait, Shattered Nerves, Weakened Or Exhausted Vitality, Mental Or Physical Depression, Weakening Habits, * * * And For * * * Other Excesses. * * * To all those who * * * suffer from the effects of fast living, over-work and the drains of present day strenuous excesses, Nerv-Mintz prove most wonderful rejuvenators, restoring the lost vitality you perhaps had thought was gone forever. Generally results are quick. * * * Keep up the treatment * * *," were false and fraudulent, since the said

article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On April 5, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9803. Adulteration of fava beans. U. S. * * * v. 165 Bags of Fava Beans. Decree finding product to be adulterated and ordering its release under bond. (F. & D. No. 13574. I. S. No. 10067-t. S. No. W-744.)

On August 31, 1920, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 165 bags of fava beans, remaining in the original unbroken packages at Ogden, Utah, alleging that the article had been shipped by W. B. Stewart, San Mateo, Calif., on or about August 20, 1920, and transported from the State of California into the State of Utah, and was then en route to its destination, New York, N. Y., and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted of a filthy, decomposed, or putrid vegetable substance.

On October 9, 1920, the Glanzer Brothers, San Francisco, Calif., having entered an appearance as claimant for the property, judgment was entered finding the matters charged in the libel to be true and declaring the product to be adulterated, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be sorted under the supervision of this department and that only such portion thereof as might be approved by this department be disposed of.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9804. Misbranding of Lewis' nerve pills. U. S. * * * v. 3 Dozen Boxes of Lewis' Nerve Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13586. Juv. No. 18309. S. No. C-2113.)

On August 24, 1920, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen boxes of Lewis' nerve pills, at San Antonio, Tex., alleging that the article had been shipped by the A. H. Lewis Medicine Co., St. Louis, Mo., on or about August 25, 1919, and transported from the State of Missouri into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of phosphorus, strychnine, and iron phosphate.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing on the carton containing the article, regarding the curative and therapeutic effect thereof, " * * * Highly recommended for Nervousness, General Debility, Lack of Energy, Self Distrust, Loss of Memory and Diseases arising from Mental Worry, Overwork, Excesses, Etc.," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 4, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9805. Misbranding of Wendell's Ambition pills. U. S. * * * v. 28 Packages * * * of * * * Wendell's Ambition Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13625. Inv. No. 23529. S. No. C-2467.)

On September 2, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 28 packages, consisting of 24 small sized and 4 large sized packages, of Wendell's Ambition pills, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Wendell Pharmacal Co., Syracuse, N. Y., on or about May 29, 1920, and transported from the State of New York into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The small sized packages were labeled in part, (carton) " * * * Pills Ambition Brand sized packages were labeled in part, (carton) " * * * Pills Ambition Brand Beneficial in the treatment of * * * Nervous Debility, Sleeplessness, Degestion, * * * Affections of the Nervous System." The large sized packages were labeled in part, (carton) " * * * Ambition Pills The Great Nerve Tonic. * * * Nervous Debility, Weakness, * * * Kidney * * * Complaints, Malaria, Rheumatism, Neuralgia, Exhausted Nervous Vitality, Nervous Prostration, Sleeplessness, Despondency, Mental Depression, Hysteria. Numbness, Trembling, Nervous Headaches, Dyspepsia, Indigestion, * * * and all affections of the Nervous System."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained nux vomica extractives, quinine, and aloin.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the label of the cartons, regarding the curative and therapeutic effects thereof, were false and fraudulent in that the said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On October 7, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9806. Adulteration and misbranding of ice cream flavor. U. S. * * * v. 10 Gallons of Ice Cream Flavor. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13687. I. S. No. 7810-1. S. No. E-2643.)

On September 16, 1920, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 gallons of ice cream flavor which had been represented to be high grade vanilla extract, remaining unsold in the original unbroken packages at Huntingdon, Pa., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about June 14, 1920, and transported from the State of Missouri into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "A-XXXX Ice Cream Flavor Concentrated * * *."

Adulteration of the article was alleged in the libel for the reason that vanillin coumarin solution had been mixed and packed with, and substituted wholly or in part for, the said ice cream flavor, and for the further reason that it was colored in a manner whereby its inferiority was concealed.

Misbranding of the article was alleged for the reason that the statement, "A-XXXX Ice Cream Flavor Concentrated," was false and misleading and deceived and misled the intending purchaser thereof, and for the further reason that it was an imitation of, and was offered for sale under a distinctive name of, another article.

On June 25, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9807. Adulteration and misbranding of pink beans. U. S. * * * v. 365 Sacks * * * of Pink Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13694. I. S. No. 1615-t. S. No. C-2509.)

On September 18, 1920, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 365 sacks of pink beans, at Brownsville, Tex., alleging that the article had been shipped by Sinsheimer & Co., Stockton, Calif., on or about April 3, 1919, and transported from the State of California into the State of Texas, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

It was alleged in substance in the libel that the article was adulterated in that it was filthy, decomposed, and putrid.

Misbranding was alleged for the reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 4, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9808. Misbranding of Red Cross tansy pills. U. S. * * * v. 174 Packages of Red Cross Tansy Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 13842, 13843. I. S. Nos. 5686-t, 5691-t. S. Nos. E-2848, E-2849.)

On November 3, 1920, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 174 packages of Red Cross tansy pills, at Pittsburgh, Pa., consigned by the Norman Lichty Mfg. Co., Des Moines, Iowa, alleging that the article had been shipped from Des Moines, Iowa, August 26 and 31 and October 1, 1920, respectively, and transported from the State of Iowa into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes and ferrous sulphate.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding the therapeutic or curative effects

thereof, appearing on the label of the carton containing the article and in an accompanying circular, to wit, (carton) " * * * Relieves Cases of obstructions of long standing and the Regulation of Female Complaints," (circular) " * * * Sure Relief in cases of obstructions of long standing and the Regulation of all Female Complaints. * * * safe and sure as a monthly regulator. * * * Suppression of menstruation * * * The object of this remedy is to relieve this abnormal condition, and long experience in its use has demonstrated beyond a doubt its efficacy. * * * no experiment, but an assured success, and all who require a remedy of this kind should use Red Cross Tansy Pills. * * * For Suppressed Menstruation, for Painful Menstruation, and a Preventive for Irregular Menstruation," were false and fraudulent in that the said statements were applied to the article so as to represent falsely and fraudulently, and to create in the minds of purchasers thereof the impression and belief, that the said article was effective as a remedy for the suppression of the menstrual function, when, in truth and in fact, it contained no ingredients or combination of ingredients capable of producing the therapeutic effects claimed.

On June 28, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9809. Misbranding of digester tankage. U. S. * * * v. The McMillen Company, a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 13917. I. S. No. 11090-r.)

On April 25, 1921, the Grand Jurors of the United States within and for the District of Indiana, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district returned in the District Court of the United States for the district aforesaid an indictment against the McMillen Co., a corporation, Fort Wayne, Ind., charging shipment by said company, in violation of the Food and Drugs Act, on or about December 4, 1919, from the State of Indiana into the State of Michigan, of a quantity of Magic Brand digester tankage which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 57.53 per cent of protein.

Misbranding of the article was charged in the indictment for the reason that the statement, to wit, "Guarantees this * * * Tankage to contain not less than * * * 60.0 per cent. of crude protein," borne on the tag attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the said article contained not less than 60 per cent of crude protein, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 60 per cent of crude protein, whereas, in truth and in fact, it did contain less than 60 per cent of crude protein, to wit, approximately 57.53 per cent.

On May 7, 1921, a plea of guilty to the indictment was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9810. Misbranding of canned salmon. U. S. * * * v. Tallant-Grant Packing Co., a Corporation. Plea of guilty. Fine, \$100. (F. & D. No. 11135. I. S. No. 14285-r.)

On March 9, 1921, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Tallant-Grant

Packing Co., a corporation, Astoria, Oreg., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 4, 1918, from the State of Oregon into the State of New York, of a quantity of canned salmon which was misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of chinook salmon.

Misbranding of the article was alleged in the information for the reason that the label appearing on the cases containing the said article, to wit, "Columbia River Salmon," was false and misleading in that it represented to purchasers thereof that the said article was Columbia River salmon, whereas, in fact and in truth, it was California salmon; for the further reason that it was falsely branded as to the State wherein it was produced, as follows, "Packed at Astoria, Oregon," so as to represent to purchasers thereof that it was packed in Oregon, whereas, in fact and in truth, it was packed in California; and for the further reason that the said article was an imitation of, and was sold under the name of, another article, to wit, Columbia River salmon, whereas, in fact and in truth, it was California salmon.

On August 8, 1921, a plea of guilty to count 2 of the information charging misbranding was entered on behalf of the defendant company, and the court imposed a fine of \$100.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9811. Misbranding of Robert J. Pierce's Empress Brand tansy, cotton root, pennyroyal, and apiol tablets. U. S. * * * v. 12 Packages * * * of * * * Robert J. Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal, and Apio Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13488. Inv. No. 10500. S. No. C-2330.)

On August 20, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 packages, more or less, of Robert J. Pierce's Empress Brand tansy, cotton root, pennyroyal, and apiol tablets, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by Robert J. Pierce, Inc., New York, N. Y., on or about August 3, 1920, and transported from the State of New York into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) " * * * Tansy, Cotton Root, Pennyroyal and Apio Tablets A Safe Emmenagogue. Always Reliable And Effective. The Best Known Remedy For The Suppression Of The Menstrual Function"; (circular) " * * * Tansy, Cotton Root, Pennyroyal and Apio Tablets * * * The Celebrated Female Regulator * * * Delayed Menstruations When the suppression is of long standing, * * * take one * * * until four days before the time when the menses should appear. * * * immediately preceding the expected appearance of the menstrual flow, active treatment should begin. Take one * * * three times daily, * * * follow instructions * * * until the desired result is obtained. * * * Irregularities Where the menses are not regular, * * * are invaluable. Take * * * before the expected appearance of the menstrual period."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of aloes, ferrous sulphate, pennyroyal, and unidentified plant extractives.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the labels and printing on the

said boxes and in the accompanying circulars, regarding the curative and therapeutic effects of the said article, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On October 7, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9812. Misbranding of Nerv-Mintz. U. S. * * * v. 2 Dozen Packages * * * of * * * Nerv-Mintz. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13496. I. S. No. 1733-t. S. No. C-2135.)

On August 24, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 dozen packages of Nerv-Mintz, remaining unsold at Cincinnati, Ohio, consigned by the Earle Chemical Co., Wheeling, W. Va., on or about December 18, 1919, and July 9, 1920, respectively, alleging that the article had been shipped from Wheeling, W. Va., and transported from the State of West Virginia into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) "Nerv-Mintz Nerve And Energy Tablets Especially A Nerve Strengthener * * * Soothe And Quiet The Nerves, * * * Used For The Relief Of Nervousness, Loss Of Vigor, Energy And Ambition—Lack Of Confidence, Sleeplessness, Trembling, Nervelessness, Shifty Gait, Shattered Nerves. Exhausted Or Weakened Vitality, Mental Depression, Numbness, Weakening Habits, * * * And All Overworked And Unstrung Nerves Induced By Fast Living And Other Excesses. * * * Useful In The Treatment Of Nervous Conditions Which Follow Too Strenuous Living, Mental And Physical Fatigue. And Other Excesses"; (circular) "Nerv-Mintz For Nervous Debility * * * Exceptionally Efficient In The Treatment Of Nervousness, Loss Of Vigor, Energy And Ambition, Lack Of Confidence, Sleeplessness, Shifty Gait, Shattered Nerves, Weakened Or Exhausted Vitality, Mental Or Physical Depression, Weakening Habits, * * * And For All Over-Worked And Unstrung Nerves Induced By Fast Living And Other Excesses. * * * To all those who * * * suffer from the effects of fast living, over-work and the drains of present day strenuous excesses, Nerv-Mintz prove most wonderful rejuvenators, restoring the lost vitality you perhaps had thought was gone forever. Generally results are quick. * * * Keep up the treatment * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of sabal, nux vomica, zinc phosphid, capsicum, and aloin.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the circulars and box labels, regarding the curative and therapeutic effects thereof, were false and fraudulent in that the said article contained no ingredients or combination of ingredients capable of producing the therapeutic effects claimed and in that it was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the said statements.

On February 19, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9813. Misbranding of Howells' Lymphine tablets. U. S. * * * v. 12 Packages * * * of Howells' Lymphine Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13497. I. S. No. 1748-t. S. No. C-2291.)

On August 23, 1920, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 packages of Howells' Lymphine tablets, remaining in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped by Charles H. Howells & Co., New York, N. Y., on or about June 19 and July 6, 1920, respectively, and transported from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Wrapper and bottle) " * * * Nervous Prostration, Dyspepsia, Nervous Indigestion * * * Catarrh, Melancholia, Women At Change Of Life, Premature Decay And All Nervous And Mental Diseases "; (circular) "Lymphine Tablets * * * Vitalizer * * * Restore Nerve And Brain Tissues * * * Relieve All Forms Of Weakness * * * not only alleviate, but in many cases cure mental and physical diseases * * * such as Neurasthenia, or Nervous Prostration, Depleted Nerve Force, Impoverished or Impure Blood, Diseases of the Digestive or Eliminative System, Nervous Dyspepsia, Female Disorders attendant on the 'Change of Life,' Irregularities of Uterine Troubles generally, etc. * * * Improve Vital Powers In Both Sexes * * * of inestimable value to sufferers from locomotor ataxia * * * Melancholia * * * For All Nervous And Mental Disorders * * * Catarrh * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of ferrous carbonate, nux vomica, aloes, and phosphorus.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effects thereof were false and fraudulent, since the said article contained no ingredients or combination of ingredients capable of producing the effects claimed.

On January 11, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9814. Misbranding of Biel's new nerve tablets. U. S. * * * v. 14 Packages * * * of * * * Biel's New Nerve Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13498. Inv. No. 23527. S. No. C-2329.)

On August 21, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 14 packages, more or less, of Biel's new nerve tablets, at Kansas City, Mo., alleging that the article had been shipped by the Biel Mfg. Co., Denver, Colo., on or about August 29, 1919, and transported from the State of Colorado into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) " * * * Nerve Tablets * * * to Feed the Brain, Build up Wasted Tissues and Send Fresh Rich Blood * * * through * * * the System, * * * A Remedy * * * for Nervous Debility, Loss of Memory, Atrophy, Dyspepsia, Kidney Diseases and Catarrh of the Stomach, Liver and Kidneys. * * * recommended to those who have lost the Vim,

Vigor, and Vitality of Youth"; (circular) " * * * For Nervous Debility, Failing Sight, Sleeplessness, Failing Memory. Despondency * * * Five boxes * * * is enough for the most aggravated case. * * * rebuilds the entire system, * * * to Impart Tone to the Debilitated. Builds up Wasted Tissue, Sends Fresh, Rich * * * Blood * * * Through * * * the System. * * * making you feel Strong, Vigorous * * * induce * * * feeling of Youth * * * aching head, foul breath or bad tasting mouths, clogged secretions, inability of exertion, furrowed or yellow tongue, weak, nervous, spiritless, exhausted, debilitated, ambitionless, easily tired, short of breath, pain in side * * * neuralgic. * * * a * * * remedy * * * overcome all these * * * sexual weakness * * * gravel."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of aloin, zinc phosphid, nuxvomica extractives, resin, a laxative plant drug, magnesium, and iron salts.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the labels and printing on the said boxes and in the accompanying circulars, regarding the curative and therapeutic effects of the said article, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On October 7, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9815. Adulteration of pies. U. S. * * * v. 98 Cherry, Blueberry, Pine-apple, Raisin, Peach, Lemon Cream, and Apple Pies, More or Less. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13527. I. S. Nos. 3892-t, 3894-t, 3895-t. S. No. C-2351.)

On August 30, 1920, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 98 cherry, blueberry, pineapple, raisin, peach, lemon cream, and apple pies, remaining unsold in the original unbroken packages at Beloit, Wis., alleging that the articles had been shipped by the Case & Martin Co., Chicago, Ill., August 27 and 28, 1920, respectively, and transported from the State of Illinois into the State of Wisconsin, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the articles was alleged in substance in the libel for the reason that saccharin had been mixed and packed therewith so as to injuriously affect their quality and strength, and had been substituted in part for sugar. Adulteration was alleged for the further reason that the said articles had been mixed in a manner whereby damage and inferiority were concealed, and for the further reason that they contained saccharin, an added poisonous and deleterious ingredient, which might render them injurious to health.

On February 24, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9816. Misbranding of Madame Dean female pills. U. S. * * * v. 12 Packages * * * of * * * Madame Dean Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13532. Inv. No. 23560. S. No. C-2425.)

On August 28, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 packages, more or less, of Madame Dean female pills, remaining in the original unbroken packages at St. Joseph, Mo., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on or about June 12, 1919, and transported from the State of Pennsylvania into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box and wrapper) "Female Pills * * * give relief in Female Disorders of the menstrual functions. * * * for Painful, Irregular and Scanty Menstruation"; (booklet) " * * * irregular, prolonged, or suppressed menstruation. * * * Female Pills * * * relief for these ailments. * * * a remedy intended solely for the relief of Amenorrhoea, Dysmenorrhoea, scanty and irregular menstruation, and other derangements of the reproductive system, * * * especially valuable in the functional changes * * * of the menopause or change of life. * * * act on the circulatory system of the uterus, thereby relieving painful, irregular and scanty menstruation, and assist in re-establishing or restoring, the menstrual or monthly periods. * * * strengthen and build up the uterine function"; (circular) " * * * a great relief against those general complaints the Female Sex is subject to; they help increase the vital quality of the blood: assist to bring nature into its proper channel. * * * for irregular, painful, scanty or suppressed menstruations, * * * should be taken * * * to assist nature with * * * disorders * * * during the change of life * * * Continue * * * the treatment until they give relief. * * * great relief from Pains or Headache * * * for suppressed Menstruation, * * * continue their use until relieved * * * take * * * until the menstrual flow commences again. * * * Special Strength * * * should relieve the most obstinate cases * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of quinine, aloes, ferrous sulphate, hydragristis, ginger, and cornstarch.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing on the cartons and containers and in the accompanying booklets and circulars, regarding the curative and therapeutic effects of the article contained therein, were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On October 7, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9817. Misbranding of Wendell's Ambition pills. U. S. * * * v. 194 Small Packages, 30 Large and 204 Small Packages, and 120 Small Packages * * * of Wendell's Ambition Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13542, 13543, 13642. I. S. Nos. 4279-t, 4300-t, 13076-t. S. Nos. C-2169, C-2170, C-2173.)

On August 30 and September 7, 1920, respectively, the United States attorney for the Northern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district

libels for the seizure and condemnation of 194 small packages, 30 large and 204 small packages, and 120 small packages of Wendell's Ambition pills, remaining in the original unbroken packages at Cleveland and Akron, Ohio, respectively, alleging that the article had been shipped by the Wendell Pharmacal Co., Inc., Syracuse, N. Y., between the dates October 31, 1919, and June 30, 1920, and transported from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. A portion of the article was labeled in part. (carton) " * * * Pills Ambition Brand. Beneficial in the treatment of * * * Nervous Debility, Sleeplessness, Despondency, Mental Depression, Hysteria, Nervous Headaches. Dyspepsia, Indigestion, * * * Affections of the Nervous System." The remainder of the article was labeled in part. (carton) " * * * Ambition Pills The Great Nerve Tonic. * * * Nervous Debility, Weakness, * * * Kidney * * * Complaints, Malaria, Rheumatism, Neuralgia, exhausted Nervous Vitality, Nervous Prostration, Sleeplessness, Despondency, Mental Depression, Hysteria, Numbness, Trembling, Nervous Headaches, Dyspepsia, Indigestion, * * * and all affections of the Nervous System."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained nux vomica extractives, quinine, and aloin.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements regarding the curative and therapeutic effects thereof, appearing in the labeling, were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 3 and 11, 1921, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9818. Misbranding of Parry's vegetable compound. U. S. * * * v. 7 Bottles of Parry's Vegetable Compound No. 2 and 233 Bottles * * * of Parry's Vegetable Compound. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13816, 13855. I. S. No. 5817-t. Inv. No. 24415. S. Nos. E-2841, E-2860.)

On October 25 and November 9, 1920, respectively, the United States attorney for the Western District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 7 bottles of Parry's Vegetable Compound No. 2, and 233 bottles of Parry's Vegetable Compound Nos. 1 to 14, inclusive, remaining unsold in the original unbroken packages at Blasdell and Buffalo, N. Y., respectively, consigned by the Parry Medicine Co., Inc., Pittsburgh, Pa., alleging that the article had been shipped from Pittsburgh, Pa., August 2 and October 7, 1920, respectively, and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained olive oil, alcohol, water, and amaranth coloring matter.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements appearing on the bottle label with respect to the product known as "No. 2," consigned August 2, 1920, to wit, "For Cancer,

Catarrh, Head Noises, Tumors, Adenoids, Hemorrhoides, Piles, Appendicitis, Asthma, Goiter, Typhoid and all other Fevers," and the same and the following statements appearing on the bottle labels with respect to the remaining consignment, (No. 1) "For Tuberculosis, Lungs, Bones or Flesh, Gallstones or Tapeworm," (No. 3) "For Brights Disease, Bladder, Kidneys, Influenza and for Weak Women," (No. 4) "For Stomach, Bowel Trouble, Black Plague and Leprosy," (No. 5) "For Inflammation of Throat and Bronchitis," (No. 6) "For Eczema, Pimples, Skin Disease, Scalds, Burns, and Smallpox," (No. 7) "For Varicose Veins, High Blood Pressure and Dropsy," (No. 8) "For Diabetes, Liver, Spleen and Adenoids," (No. 9) "For Insanity, Fits, Paralysis, Meningitis, Mad Dog and Snake Bite," (No. 10) "For Heart, Kidneys, Nose and Throat," (No. 11) "For Nervous Troubles, Rheumatism and Saint Vitis Dance," (No. 12) "For Nerves, Gall Stones, Curvature of Spine and Deformity," (No. 13) "For Blindness, Weak Eyes, Cataract and Deafness," (No. 14) "For All Venereal Diseases, etc.," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effect claimed.

On December 9, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9819. Misbranding of Methyloids. U. S. * * * v. 2 Dozen Packages of Methyloids. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14137. I. S. No. 9765-t. S. No. E-3034.)

On January 4, 1921, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on February 17, 1921, an amended libel, for the seizure and condemnation of 2 dozen packages of Methyloids, remaining in the original unbroken packages at Mayaguez, P. R., alleging that the article had been shipped by Frederick Stearns and Co., Detroit, Mich., on or about September 22, 1920, and transported from the State of Michigan into the island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of capsules containing, essentially, methylene blue, copaiba, santal oil, cassia oil, turpentine oil, and a sulphonated fixed oil.

Misbranding of the article was alleged in substance in the libel for the reason that the labels of the boxes and cartons containing the article bore certain statements regarding the said article and the ingredients and substances contained therein, which were false and fraudulent in that they led the public to believe that the said bottles and cartons contained curative and therapeutic medicine effective as a successful treatment for gonorrhea and its complications and capable of curing and preventing diseases and disorders in the urinary tract, whereas, in fact, it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 3, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9820. Adulteration and misbranding of Mumm's champagne and Mumm's Sparkling Burgundy. U. S. * * * v. 5 Cases and 5 Drums * * * of Mumm's Extra Dry Champagne and 5 Cases * * * of Mumm's Sparkling Burgundy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13804. I. S. Nos. 1565-t, 1566-t. S. No. C-2553.)

On October 22, 1920, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 cases and 5 drums, more or less, of Mumm's extra dry champagne and 5 cases, more or less, of Mumm's Sparkling Burgundy, remaining unsold in the original packages at Louisville, Ky., consigned by H. G. Mumm and Co., New York, N. Y., July 19, 1920, alleging that the articles had been shipped from New York, N. Y., and transported from the State of New York into the State of Kentucky, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the articles was alleged in the libel for the reason that imitation products artificially carbonated had been mixed and packed with, and substituted wholly or in part for, the said articles. Adulteration was alleged with respect to the Sparkling Burgundy for the further reason that it was colored in a manner whereby its damage or inferiority was concealed.

Misbranding was alleged in substance for the reason that the statements on the labels of the bottles containing the respective articles, "H. G. Mumm & Co., Extra Dry Champagne Non Alcoholic" and "Non Alcoholic H. G. Mumm & Co., Sparkling Burgundy," were false and misleading and deceived and misled the purchaser, for the further reason that the said articles were imitations of, and offered for sale under the distinctive names of, other articles, and for the further reason that they were food in package form, and were not plainly and conspicuously marked on the outside of the package to show the quantity of the contents.

On February 18, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9821. Adulteration and misbranding of cider. U. S. * * * v. 141 Barrels and 249 Kegs * * * of Cider. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13835. I. S. Nos. 2463-t, 3067-t, 4230-t. S. No. C-2566.)

On November 3, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 141 barrels and 249 kegs of cider, remaining unsold at Cincinnati, Ohio, consigned by the Food Products Co., Detroit, Mich., August 21, 25, and 31, 1920, respectively, alleging that the article had been transported from the State of Michigan into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, (barrels and kegs) "Old Tavern Brand Cider * * *." The barrels were further labeled in part, "Hillcrest Brand Cider * * *."

Adulteration of the article was alleged in the libel for the reason that imitation cider had been mixed and packed with, and substituted wholly for, the said article, and for the further reason that it had been mixed and colored in a manner whereby damage or inferiority was concealed.

Misbranding was alleged for the reason that the statements, "Old Tavern * * * Cider" and "Hillcrest Brand Cider," were false and misleading and

deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On February 24, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture*.

9822. Misbranding of Ammonol tablets. U. S. * * * v. 118 Tubes and 18 Bottles, 214 Tubes and 16 Bottles, and 7 Dozen Tubes of Ammonol Tablets. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13844, 13883, 14135. I. S. Nos. 9756-t, 9757-t, 9758-t, 9768-t. S. Nos. E-2855, E-2882, E-3032.)

On November 5 and 30, 1920, and January 4, 1921, respectively, the United States attorney for the District of Porto Rico, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels, and on November 16, 1920, an amendment to the libel filed on the first date, for the seizure and condemnation of 118 tubes and 18 bottles, 214 tubes and 16 bottles, and 7 dozen tubes of Ammonol tablets, at San Juan and Mayaguez, P. R., respectively, alleging that the article had been shipped by the Ammonol Chemical Co., New York, N. Y., between the dates October 17, 1919, and June 15, 1920, and transported from the State of New York into the island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets contained acetanilid, ammonium carbonate, sodium bicarbonate, and sodium phosphate.

It was alleged in substance in the libels that the article was misbranded for the reason that it was labeled so as to deceive the purchaser thereof in that it did not show upon its label or circular the quantity or proportion of acetanilid, if any, contained therein. Misbranding was alleged for the further reason that the statements regarding the curative and therapeutic effect of the said article, to wit, "Rheumatism * * * Influenza, La Grippe, Fevers, Indigestion, Alcoholism, Painful Menstruation," set forth in the wrappers surrounding the said tubes, and the statement, "* * * As a curative of dysmenorrhea and dyspeptic disorders, as well as to cure radically gastralgia, and atonic dyspepsia," appearing in the circulars inclosed with the said tubes and bottles, and the further statement in said circular that the article was of inestimable value and efficacy in cases of influenza, grippe, rheumatism, indigestion, alcoholism, painful menstruation, and that it assisted digestion and prevented fermentation during the process of digestion, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 3, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture*.

9823. Misbranding of hominy feed. U. S. * * * v. Atlas Cereal Co., a Corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 13893. I. S. No. 18825-r.)

On January 6, 1921, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Atlas Cereal Co., a corporation, Kansas City, Mo., alleging shipment by

said company, on or about March 24, 1920, in violation of the Food and Drugs Act, as amended, from the State of Missouri into the State of Kansas, of a quantity of unlabeled hominy feed which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 25, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9824. Adulteration of shell eggs. U. S. * * * v. Isaac Daniel McCormack (Brookland Feed Co.). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 13895. I. S. No. 8427-r.)

On December 7, 1920, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Isaac Daniel McCormack, trading as the Brookland Feed Co., Brookland, Ark., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 14, 1919, from the State of Arkansas into the State of Missouri, of a quantity of shell eggs which were adulterated.

Examination by the Bureau of Chemistry of this department of 180 eggs from each of three cases from the consignment showed the presence of 155, or 28.7 per cent, inedible eggs, consisting of black rots, mixed or white rots, moldy eggs, spot rots, and blood rings.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On May 3, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9825. Adulteration of shell eggs. U. S. * * * v. Jeff Russell. Plea of guilty. Fine, \$5. (F. & D. No. 13898. I. S. No. 9556-r.)

On February 21, 1921, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Jeff Russell, Hope, Ark., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about June 15, 1920, from the State of Arkansas into the State of Texas, of a quantity of shell eggs which were adulterated.

Examination by the Bureau of Chemistry of this department of 180 eggs from each of the four cases in the consignment showed that 102, or 14.1 per cent of those examined, were inedible, consisting of black rots, mixed or white rots, spot rots, and heavy blood rings.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On May 9, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9826. Misbranding of peas. U. S. * * * v. Riley C. Abbott. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 13903. I. S. No. 14475-r.)

On December 10, 1920, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information

against Riley C. Abbott, Elizabeth City, N. C., alleging shipment by said defendant, on or about May 23, 1919, in violation of the Food and Drugs Act, as amended, from the State of North Carolina into the State of New York, of a quantity of peas which were misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 12, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9827. Adulteration and misbranding of flour wheat middlings. U. S. * * * v. Federal Grain Co., a Corporation. Plea of guilty. Fine, \$100. (F. & D. No. 13906. I. S. No. 24727-r.)

On December 13, 1920, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Federal Grain Co., a corporation, St. Paul, Minn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about August 30, 1919, from the State of Minnesota into the State of Wisconsin, of a quantity of flour wheat middlings which were adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained a material amount of ground rice hulls and 9.35 per cent of fiber.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, ground rice hulls, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for flour wheat middlings with ground screenings mill run, which the article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Flour wheat middlings with ground screenings mill run" and "Fiber 8%," borne on the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the said article consisted wholly of flour wheat middlings with ground screenings mill run and that it contained no more than 8 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of flour wheat middlings with ground screenings mill run and that it contained not more than 8 per cent of fiber, whereas, in truth and in fact, it did not consist wholly of flour wheat middlings with ground screenings mill run, but did consist in part of ground rice hulls, and it did contain more than 8 per cent of fiber, to wit, 9.35 per cent.

On December 13, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9828. Misbranding of Pansy little chick feed. U. S. * * * v. The Quaker Oats Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 13910. I. S. Nos. 24528-r, 24529-r.)

On April 19, 1921, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Quaker Oats Co., a corporation, trading at Chicago, Ill., alleging shipment by

said company, in violation of the Food and Drugs Act, on or about December 25, 1919, and February 8, 1920, respectively, from the State of Illinois into the State of Michigan, of quantities of Pansy little chick feed which was misbranded.

Analyses of samples of the article from each shipment by the Bureau of Chemistry of this department showed that it contained approximately 5 per cent of weed seeds.

Misbranding of the article was alleged in substance in the information for the reason that the statement, to wit, "Not To Exceed 1-2 of 1% Miscellaneous Wild Seeds," borne on the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the said article contained not more than one-half of 1 per cent of miscellaneous wild seeds, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not more than one-half of 1 per cent of miscellaneous wild seeds, whereas, in truth and in fact, it contained more than one-half of 1 per cent of miscellaneous wild seeds.

On May 5, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and on July 1, 1921, the court imposed a fine of \$100 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9829. Misbranding of cottonseed meal and cake. U. S. * * * v. Osage Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$20 and costs. (F. & D. No. 13914. I. S. No. 18802-r.)

On January 31, 1921, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Osage Cotton Oil Co., a corporation, trading at Mulberry, Ark., alleging shipment by said company, on or about December 6, 1919, in violation of the Food and Drugs Act, as amended, from the State of Arkansas into the State of Kansas, of a quantity of cottonseed meal and cake which were misbranded.

Examination by the Bureau of Chemistry of this department of 67 sacks from the consignment showed an average gross weight of 97.11 pounds and an average net weight of 96.49 pounds.

Misbranding of the articles was alleged in the information for the reason that the statement, to wit, "100 Pounds Gross 99 Lbs. Net," borne on the tags attached to the sacks containing the articles, regarding the articles, was false and misleading in that it represented that each of the said sacks weighed 100 pounds gross and contained 99 pounds net of the respective articles, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said sacks weighed 100 pounds gross and contained 99 pounds net of the respective articles, whereas, in truth and in fact, each of the sacks did not weigh 100 pounds gross but did weigh a less amount, and each of the said sacks did not contain 99 pounds net of the respective articles, but did contain a less amount. Misbranding was alleged for the further reason that the articles were food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 17, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$20 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9830. Misbranding of Dr. Diemer's prescription for gonorrhea and gleet, Manhood tablets, dyspepsia tablets, hot toddy, kidney and bladder tablets, treatment for piles, antiseptic female suppositories, rheumatic remedy, pennyroyal and tansy compound, special preparation for specific blood poison, and Laxative Grip-Malarine. U. S. * * * v. Dr. F. W. Diemer Medicine Co., a Corporation. Plea of guilty. Fine, \$60 and costs. (F. & D. No. 13175. I. S. Nos. 9161-r to 9170-r, inclusive, 9200-r.)

On January 20, 1921, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Dr. F. W. Diemer Medicine Co., a corporation, Springfield, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, from the State of Missouri into the State of Louisiana, on or about August 15, 1919, of quantities of Dr. Diemer's prescription for gonorrhea and gleet, Manhood tablets, dyspepsia tablets, hot toddy, kidney and bladder tablets, treatment for piles, antiseptic female suppositories, rheumatic remedy, pennyroyal and tansy compound, and special preparation for specific blood poison, and on or about December 22, 1919, of a quantity of Dr. F. W. Diemer's Laxative Grip-Malarine, all of which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the prescription for gonorrhea and gleet consisted of two preparations, internal pills containing, chiefly, magnesium sulphate, calcium sulphid, ferrous sulphate, and oil of cubebs, coated with calcium carbonate and keratin, and external tablets containing, chiefly, boric acid, lead acetate, zinc sulphate, and hydrastine; that the Manhood tablets consisted chiefly of sodium bicarbonate, reduced iron, zinc phosphate, and small amounts of capsicum, a laxative plant drug, and strychnine; that the dyspepsia tablets consisted chiefly of sodium bicarbonate, a laxative plant drug, and ipecac alkaloids; that the hot toddy consisted of tablets containing, chiefly, milk sugar, sodium bicarbonate, a laxative plant drug, and small amounts of ginger and capsicum, flavored with oil of cassia; that the kidney and bladder tablets consisted chiefly of sodium bicarbonate, potassium nitrate, and a laxative plant drug; that the treatment for piles consisted of suppositories containing cacao butter, borax, alum, and tannin-bearing plant material; that the antiseptic female suppositories contained cacao butter, borax, alum, and tannin-bearing plant material; that the rheumatic remedy consisted of tablets containing, chiefly, acetanilid, sodium bicarbonate, and a laxative plant drug; that the pennyroyal and tansy compound consisted of tablets containing, chiefly, plant material, including aloes, capsicum, potassium nitrate, and sand; that the preparation for specific blood poison consisted of tablets containing, chiefly, calcium carbonate, ferric oxid, potassium iodid, and small amounts of arsenic and mercury; and that the Grip-Malarine consisted of tablets containing acetanilid, sodium bicarbonate, aloes, and capsicum.

Misbranding of the articles was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the boxes and wrappers containing the respective articles and in certain instances in circulars accompanying the same, falsely and fraudulently represented that the prescription for gonorrhea and gleet was effective as a treatment, remedy, and cure for gonorrhea and gleet; that the Manhood tablets were effective as a treatment, remedy, and cure for sexual and seminal weakness, rheumatism, neuralgia, catarrh, wasting diseases, nervous debility, impure blood, and all kindred diseases resulting from a worn out nervous system; that the dyspepsia tablets were effective as a treatment, remedy, and cure for dyspepsia, indigestion,

catarrh of the stomach, anæmia, and loss of flesh; that the hot toddy was effective as a treatment, remedy, and cure for indigestion, sick headache, jaundice, stomach ache, diarrhea, rheumatism, backache, neuralgia, hay fever, catarrh, asthma, la grippe, painful, suppressed, and irregular menstruation, headache, nausea, palpitation of the heart, blood, skin, kidney, and bladder diseases, raw or sore coat to the stomach, hardened or solidified callous liver, sore upper bowel, and weak, feverish, debilitated condition of the whole system; that the kidney and bladder tablets were effective as a treatment, remedy, and cure for backache, weak back, dropsy, congestion of the kidneys, inflammation of the bladder, scalding urine, and urinary troubles; that the treatment for piles was effective as a treatment for piles of every kind; that the female suppositories were effective as a treatment, remedy, and cure for leucorrhea or whites, lacerations, ulcerations, and all discharges from the vagina or uterus; that the rheumatic remedy was effective as a treatment, remedy, and cure for rheumatism, gout, lumbago, swollen or tender joints, crick in the back, stiff neck, pain in the side, and acute and inflammatory rheumatism; that the pennyroyal and tansy compound was effective as a treatment, remedy, and cure for suppressed, irregular, and painful menstruation; that the preparation for specific blood poison was effective as a treatment, remedy, and cure for specific blood poison or constitutional syphilis; and that the Grip-Malarine was effective as a treatment, remedy, and cure for grip, coughs, bronchitis, catarrh, malaria chills and fever, neuralgia, and malarial headache, when, in fact and in truth, the said articles contained no ingredients or medicinal agents effective for the purposes named. Misbranding was alleged with respect to the dyspepsia tablets for the further reason that the statement, to wit, "A purely vegetable remedy, free from all * * * mineral * * *," contained in the circular accompanying the said article, was false and misleading in that it represented that the article was a purely vegetable remedy free from all mineral, whereas, in truth and in fact, it was not a purely vegetable remedy free from all mineral, but was a product which contained bicarbonate of soda, a mineral substance.

On April 4, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$60 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9831. Adulteration and misbranding of vinegar. U. S. * * * v. 3 Barrels and 2 Barrels of Vinegar. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 13850, 13851. I. S. Nos. 6410-t, 6409-t. S. Nos. E-2857, E-2858.)

On December 16, 1920, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 3 barrels and 2 barrels of vinegar, at Netcong and Oxford, N. J., respectively, alleging that the article had been shipped by the Kistler Vinegar Works, Stroudsburg, Pa., on or about August 28 and 31, 1920, respectively, and shipped from the State of Pennsylvania into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Barrel) "* * * Pure Fermented Apple Cider Vinegar Reduced to 40 grains acid strength. Made by the Kistler Vinegar Works, Stroudsburg & Bethlehem, Pa. Unitus Brand."

Adulteration of the article was alleged in the libels for the reason that waste vinegar had been mixed and packed with, and substituted wholly or in part for, the said article.

Misbranding was alleged for the reason that the statement, to wit, "Pure Fermented Apple Cider Vinegar," regarding the article and the ingredients and

substances contained therein, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On May 24, 1921, the Kistler Vinegar Works, Stroudsburg, Pa., claimant, having consented to decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product be not shipped or sold unless rebranded and properly marked.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9832. Misbranding of Parry's Vegetable Compound No. 4. U. S. * * * v. 5 Bottles * * * of Parry's Vegetable Compound No. 4. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 13864. I. S. No. 1428-t. S. No. C-2579.)

On November 15, 1920, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 bottles, more or less, of Parry's Vegetable Compound No. 4, at Negley, Ohio, alleging that the article had been shipped by the Parry Medicine Co., Pittsburgh, Pa., on or about March 30, 1920, and transported from the State of Pennsylvania into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Cancer * * * For Stomach, Bowel Trouble, Black Plague and Leprosy."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained olive oil, alcohol, water, and oils of cloves and peppermint.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effects were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed. Misbranding was alleged for the further reason that the statement on the label, to wit, "All goods guaranteed under the Pure Food and Drugs Act of June 30, 1906," was false and misleading.

On May 20, 1921, the Parry Medicine Co., Pittsburgh, Pa., having filed its claim and answer and the case having come on for final disposition, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act, conditioned in part that the said product be relabeled in a manner satisfactory to this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9833. Misbranding of Patten's Lightning salve. U. S. * * * v. John H. Patten (J. H. Patten). Plea of guilty. Fine, \$10 and costs. (F. & D. No. 13918. I. S. No. 9253-r.)

On March 4, 1921, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John H. Patten, trading as J. H. Patten, Mountain View, Mo., alleging that on or about November 25, 1919, the said defendant had sold, under a guarantee that

the article should meet the requirements of the Food and Drugs Act, a quantity of Patten's Lightning salve, which was misbranded within the meaning of the said act, and that on February 13, 1920, the said article was shipped, in the identical condition as when received, by the purchaser thereof, from the State of Missouri into the State of Illinois, in further violation of the said act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of camphor, turpentine, soap, rosin, tallow, beeswax, and petrolatum.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the boxes and cartons containing the said article and in the circular inclosed in said cartons, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for piles, fistula, rheumatism, neuralgia, carbuncles, boils, felons, abscesses, blood poison, salt rheum, eczema, old and running sores, diphtheria, tonsillitis, croup, cough, pneumonia, asthma, all throat and lung troubles, catarrh, hay fever, stomach, kidney, liver, and bowel troubles, sore eyes or granulated lids, ulcers, poisons of all kinds, tetter, bronchitis, pleurisy, backache or pain in any part of the body, erysipelas, scrofula, white swelling, all female troubles, constipation, all afflictions where there is inflammation, bloating of stomach, sour stomach, any uneasiness of the stomach, cholera morbus, dysentery, quinsy, sore throat, tumors, goiter, deafness, loss of voice, hoarseness, indigestion, liver pains, itching piles, neuralgia of the stomach, diarrhea, spider bite, diabetes, lung and throat trouble, cancer, la grippe, chronic constipation, catarrh of the stomach, and catarrh of the head, when, in truth and in fact, it was not.

On April 4, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9834. Misbranding of bran feed. U. S. * * * v. Pillsbury Flour Mills Co., a Corporation. Plea of guilty. Fine, \$10. (F. & D. No. 13927. I. S. No. 12167-r.)

On April 5, 1921, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Pillsbury Flour Mills Co., a corporation, Anoka, Minn., alleging shipment by said company, on or about September 27, 1919, in violation of the Food and Drugs Act, as amended, from the State of Minnesota into the State of Illinois, of a quantity of unlabeled bran feed which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 5, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9835. Adulteration and misbranding of wheat shorts. U. S. * * * v. Holland-O'Neal Milling Co., a Corporation. Plea of guilty. Fine, \$40 and costs. (F. & D. No. 13945. I. S. Nos. 7495-r, 8203-r.)

On March 25, 1921, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Holland-O'Neal Milling Co., a corporation, Mt. Vernon, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October

29 and 13, 1919, from the State of Missouri into the State of Arkansas, of quantities of wheat shorts which was adulterated and misbranded.

Analysis of a sample from each of the consignments, by the Bureau of Chemistry of this department, showed 14.73 per cent and 15.43 per cent, respectively, of protein and 3.07 per cent and 3.05 per cent, respectively, of fat. Examination by the said bureau showed that the product contained corn bran, reground wheat bran, and flour.

Adulteration of the article was alleged in the information for the reason that substances, to wit, corn bran and reground wheat bran, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in part for wheat shorts, which the article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Wheat Shorts" and "Crude Protein Not Less than 16.5% * * * Crude Fat Not Less than 4%," borne on the tags attached to the sacks containing the said article, regarding it and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the article was wheat shorts and that it contained not less than 16.5 per cent of crude protein and not less than 4 per cent of crude fat, and for the further reason that the said article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was wheat shorts and contained not less than 16.5 per cent of crude protein and not less than 4 per cent of crude fat, whereas, in truth and in fact, it was not wheat shorts but was a mixture composed in part of corn bran and wheat bran, and it did contain less than 16.5 per cent of crude protein and less than 4 per cent of crude fat, to wit, approximately 14.73 per cent and 15.43 per cent, respectively, of crude protein and approximately 3.07 per cent and 3.05 per cent, respectively, of crude fat.

On June 13, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$40 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9836. Misbranding of Kelsch's 20th Century blackhead and cholera cure. U. S. * * * v. Joseph Martin Kelsch. Plea of guilty. Fine, \$25. (F. & D. No. 13946. I. S. No. 8151-r.)

On March 22, 1921, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Joseph Martin Kelsch, Lockport, N. Y., alleging shipment by said defendant, on or about May 24, 1919, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Wisconsin, of a quantity of Kelsch's 20th Century blackhead and cholera cure which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of approximately 25 per cent of burnt sugar and 75 per cent of linseed.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effect thereof, appearing on the labels of the packages containing the article and in the leaflets inclosed in said packages, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for cholera and blackhead in poultry, when, in truth and in fact, it was not.

On May 3, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9837. Misbranding of Manhood tablets. U. S. * * * v. 3 Boxes and 24 Boxes of Manhood Tablets. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13959, 13960. I. S. Nos. 2081-t, 2082-t. S. Nos. C-2591, C-2592.)

On December 30, 1920, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 3 boxes and 24 boxes, respectively, of Manhood tablets, remaining unsold in the original unbroken packages at Jackson, Miss., alleging that the article had been shipped by the Hollander-Koshland Co., Baltimore, Md., on or about May 16, 1919 (and February 17, 1920), and transported from the State of Maryland into the State of Mississippi, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box and wrapper) "Manhood Tablets For Use In The Treatment of Sexual Weakness Or Impotence * * * Lost Manhood, Debility, Lack of Virility, And Impotency. Recommended * * * In Treating * * * Psychic Impotence * * * Atonic Impotence * * * Prostatorrhoea & Spermatorrhoea": (circular) "Manhood Tablets For Use In The Treatment Of Sexual Weakness Or Impotence. * * * Loss Of Manhood, Debility, Lack Of Virility And Impotency. Recommended * * * in * * * Prostatorrhoea and Spermatorrhoea. * * * we recommend the use of this preparation * * * in restoring a normal condition of the functions. * * * a marked improvement may be expected within a comparatively short time. * * * Continue * * * treatment, * * * until the desired improvement is obtained."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained damiana, strychnine, and zinc phosphid.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements regarding the curative and therapeutic effect thereof, appearing on the label of the box and wrapper and in the circular inclosed in said box, were false and fraudulent in that the said article had not the curative or therapeutic effect claimed in the said statements and contained no ingredient or combination of ingredients capable of producing such effect.

On May 3, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9838. Misbranding of Leslie's, Arthur's, and Thomas' emmenagogue pills. U. S. * * * v. 11 Packages of Emmenagogue Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14226. Inv. Nos. 24142, 24143, 24144. S. No. C-2726.)

On February 7, 1921, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 packages of Leslie's, 4 packages of Arthur's, and 4 packages of Thomas' emmenagogue pills, remaining in the original unbroken packages at Magnolia, Miss., alleging that the articles had been shipped by the Palestine Drug Co., St. Louis, Mo., on or about June 10, 1918, and transported from the State of Missouri into the State of Mississippi, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part, (box) "* * * Emmenagogue Pills recommended for Ammenorrhoea, Dysmenorrhoea and other Menstrual Troubles. * * * Beginning Treatment * * * Before The Regular Monthly Period. * * * Continue * * * Until Relief Is Obtained."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that each product contained iron sulphate, aloes, and an unidentified alkaloid.

Misbranding of the articles was alleged in substance in the libel for the reason that the above-quoted statements appearing on the label of the box containing the said articles, regarding the curative and therapeutic effect thereof, were false and fraudulent in that the said articles had not the curative or therapeutic effect so claimed in the said statements and contained no ingredient or combination of ingredients capable of producing such effect.

On May 3, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9839. Misbranding of Bick's nerve tonic. U. S. * * * v. 9 Packages of Bick's Nerve Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14227. Inv. No. 24147. S. No. C-2727.)

On February 7, 1921, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 packages of Bick's nerve tonic, remaining in the original unbroken packages at Brookhaven, Miss., alleging that the article had been shipped by the Palestine Drug Co., St. Louis, Mo., on or about April 1, 1919, and transported from the State of Missouri into the State of Mississippi, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Wrapper) " * * * Nerve Tonic * * * one of the best * * * treatments known for those nervous run-down conditions which cause so much mental worry. * * * For the treatment of weak and irritated conditions of the nervous system * * * manifested by * * * poor appetite, feeling of weakness, despondency, lack of tone in the system of both sexes and lack of energy."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of two preparations, a brown sugar and calcium carbonate coated tablet containing phosphorus, phosphates, zinc, and iron and a yellow sugar and calcium carbonate coated pellet containing phosphate, iron, and strychnine.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effect thereof, appearing in the said wrapper, were false and fraudulent in that the said article had not the curative or therapeutic effect so claimed in the said statements and contained no ingredient or combination of ingredients capable of producing such effects.

On May 3, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9840. Misbranding of butter. U. S. * * * v. Charles W. Witwer, Joseph W. Tate, and Joseph E. Hefter (Centralia Butter Co.). Plea of guilty. Fine, \$100 and costs. (F. & D. No. 13892. I. S. Nos. 9260-r, 9261-r.)

On January 17, 1921, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles W. Witwer, Joseph W. Tate, and Joseph E. Hefter, copartners, trading as the

Centralia Butter Co., Centralia, Ill., alleging shipment by said company, on or about March 8 and 10, 1920, respectively, in violation of the Food and Drugs Act, as amended, from the State of Illinois into the State of Missouri, of quantities of butter which was misbranded.

Examination by the Bureau of Chemistry of this department of samples from the respective shipments showed an average net weight of 15.5 ounces on 29 packages and 15.09 ounces on 30 packages, an average shortage of 3.1 per cent and 5.7 per cent, respectively.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "One Pound Net," borne on the packages containing the article, regarding the said article, was false and misleading in that it represented that each of the said packages contained one pound net of the article, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said packages contained one pound net thereof, whereas, in truth and in fact, they did not contain one pound net of the said article, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 9, 1921, a plea of guilty to the information was entered on behalf of the defendant concern, and the court imposed a fine of \$100 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture*

9841. Misbranding of Cadomene tablets. U. S. * * * v. 4 Packages of Cadomene Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14216. Inv. No. 24837. S. No. E-3058.)

On January 20, 1921, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 packages of Cadomene tablets, remaining unsold in the original unbroken packages at Wilkes-Barre, Pa., alleging that the article had been shipped by the E. J. Barry Co., New York, N. Y., on or about October 14, 1920, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of zinc phosphid, strychnine, and iron salts.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding its curative and therapeutic effects, appearing on the label of the bottle containing the said article and in the accompanying circular, to wit, (bottle) " * * * Invigorating * * * for the Treatment of * * * Neurasthenia (Nerve Exhaustion), General Debility, Melancholy, Dizziness, Heart Palpitation, Trembling Weakness, Waning Strength, Functional Irritation of the Urinary Tract, Languor and many other symptoms due to * * * Worry, Grief, Intemperance, Dissipation, Overwork, Mal-Nutrition, Convalescence from Influenza, etc. * * *," (circular) " * * * the benefits to be derived from their use, are such as to recommend them to all who may be afflicted with * * * Neurasthenia, Nervous Exhaustion, General Debility, Melancholy, Dizziness, Heart Palpitation, Trembling Weakness, Waning Strength, Functional Irritation of the Urinary Tract, Languor and many other symptoms due to * * * Worry, Grief, Intemperance, Dissipation, Mal-Nutrition, Overwork, etc. * * * valuable for those who are despondent, nervous, irritable and unable to act naturally under the most ordinary circumstances * * *," were false and fraudulent inasmuch as the

said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 25, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9842. Misbranding of Euca-Mul. U. S. * * * v. 222 Bottles * * * and 139 Bottles * * * of * * * Euca-Mul. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 14241. Inv. No. 27170. S. No. C-2737.)

On January 24, 1921, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 222 bottles, large size, and 139 bottles, small size, more or less, of Euca-Mul, remaining unsold at Cincinnati, Ohio, consigned by the Edward G. Binz Co., Los Angeles, Calif., March 3, November 5 and 11, and December 9, 1920, respectively, alleging that the article had been shipped from Los Angeles, Calif., and transported from the State of California into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Large sized bottle) " * * * Indicated In Croup * * * Bronchial Asthma Tuberculosis Whooping Cough And Other Throat And Lung Affections * * * relieves * * * bronchial asthma. Especially effective in cough of phthisis and Whooping Cough * * * "; (small sized bottle) " * * * Gives immediate Relief in * * * Asthma Croup, Pneumonia Whooping Cough, Consumption and any Lung or Throat Trouble * * * excellent for all Chronic Throat and Lung troubles. It builds up resisting power in patient, controls the cough * * * "; (circular) " * * * Will * * * relieve any kind of cough; will relieve all chronic coughs, and will arrest paroxysms in whooping cough; * * * For Whooping Cough * * * Use * * * and * * * you will control the whooping cough in a short time. Consumption In this trouble, use Euca-Mul * * * for the effect in the disease, regardless of the cough * * * Asthma This disease should be treated with Euca-Mul, * * * Croup * * * Euca-Mul will be appreciated in this disease. * * * The persistent use of Euca-Mul brings the best results * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained an emulsion of oil of eucalyptus, reducing sugars, glycerin, gum, water, and alcohol.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effects thereof, appearing in the labels of the bottles containing the article and in the circular accompanying the same, were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed and in that it was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the said statements.

On June 17, 1921, the Alfred Vogeler Drug Co., claimant, having admitted the allegations of the libel and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that it be relabeled under the supervision of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9843. Misbranding of Euca-Mul. U. S. * * * v. 16 Bottles * * * and 10½ Dozen Bottles * * * of Euca-Mul. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14279. Inv. Nos. 26598, 26599. S. No. C-2753.)

On February 12, 1921, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 16 bottles, large size, and 10½ dozen bottles, small size, more or less, of Euca-Mul. at Atchison, Kans., alleging that the article had been shipped by the Edward G. Binz Co., Los Angeles, Calif., on or about October 29, 1920, and transported from the State of California into the State of Kansas, and charging misbranding in violation of the Food and Drugs Act. as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained an emulsion of oil of eucalyptus, reducing sugars, glycerin, gum, water, and alcohol.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding the therapeutic or curative effect thereof, appearing on the labels of the bottles and cartons containing the said article and in the accompanying circular, to wit, (large sized bottle) "Euca-Mul * * * Indicated In Croup * * * Bronchial Asthma. Tuberculosis Whooping Cough And Other Throat And Lung Affections * * * relieves * * * bronchial asthma. Especially effective in cough of phthisis and Whooping Cough * * *," (small sized bottle and carton) "Euca-Mul * * * Gives immediate Relief in * * * Asthma Croup, Pneumonia Whooping Cough, Consumption and any Lung or Throat Trouble. * * * excellent for all Chronic Throat and Lung troubles. It builds up resisting power in patient, controls the cough * * *," (circular, small size) "Euca-Mul * * * Will * * * relieve any kind of cough; will relieve all chronic coughs, and will arrest paroxysms in whooping cough; * * * For Whooping Cough * * * Use * * * and * * * you will control the whooping cough in a short time. Consumption In this trouble, use Euca-Mul * * * for the effect in the disease, regardless of the cough * * * Asthma This disease should be treated with Euca-Mul, * * * Croup * * * Euca-Mul will be appreciated in this disease. * * * The persistent use of Euca-Mul brings the best results * * *," were false and fraudulent in that the said statements were applied to the article so as to represent falsely and fraudulently and to create in the minds of purchasers thereof the impression and belief that it was composed of or contained ingredients or medicinal agents capable of producing the therapeutic effect claimed, when, in truth and in fact, it contained no ingredient or combination of ingredients capable of producing such effect.

On June 28, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9844. Misbranding of cottonseed cake. U. S. * * * v. Liberty Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 14316. I. S. No. 18801-r.)

On April 4, 1921, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Liberty Cotton Oil Co., a corporation, Oklahoma City, Okla., alleging shipment by said company, on or about November 19, 1919, in violation of the Food and Drugs Act, as amended, from the State of Oklahoma into the State of Kansas, of a quantity of cottonseed cake which was misbranded.

Examination by the Bureau of Chemistry of this department of 60 sacks from the consignment showed an average gross weight of 97.32 pounds and an average net weight of 96.70 pounds.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "100 lbs.—Gross 99 lbs. Net," borne on the tags attached to the sacks containing the said article, regarding the article, was false and misleading in that it represented that each of the said sacks weighed 100 pounds gross and contained 99 pounds net of the said article, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said sacks weighed 100 pounds gross and contained 99 pounds net of the article, whereas, in truth and in fact, each of the said sacks did not weigh 100 pounds gross but did weigh a less amount, and each of the said sacks did not contain 99 pounds net of the article but did contain a less amount. Misbranding was alleged for the further reason that the said article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On May 9, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9845. Adulteration of shell eggs. U. S. * * * v. Myrtle May Smith (Farmers Produce Co.). Plea of guilty. Fine, \$50. (F. & D. No. 14341. I. S. Nos. 343-t, 345-t.)

On April 19, 1921, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Myrtle May Smith, trading as the Farmers Produce Co., Anadarko, Okla., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 14, 1920, from the State of Oklahoma into the State of Kansas, of a quantity of shell eggs which were adulterated.

Examination by the Bureau of Chemistry of this department of 276 and 180 eggs, respectively, from two cases of the consignment showed that 158, or 57.2 per cent, and 109, or 60 per cent, respectively, were inedible eggs, consisting of black rots, mixed or white rots, spot rots, blood rings, and blood rots.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On May 9, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9846. Adulteration of shell eggs. U. S. * * * v. Thomas E. Ellis. Plea of guilty. Fine, \$40. (F. & D. No. 14346. I. S. No. 4229-t.)

On May 2, 1921, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Thomas E. Ellis, Rumsey, Ky., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 22, 1920, from the State of Kentucky into the State of Indiana, of a quantity of shell eggs which were adulterated.

Examination by the Bureau of Chemistry of this department of 180 eggs from each of the 7 cases involved in the consignment showed that 156, or 12.38 per cent of those examined, were inedible eggs, consisting of black rots, mixed or white rots, moldy eggs, spot rots, and blood rings.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On May 2, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$40.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9847. Misbranding of Johnson's Female Regulator. U. S. * * * v. 6 Dozen Bottles of Johnson's Female Regulator, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14376, 14377, 14422, 14628, 14690, 14849. I. S. Nos. 9775-t, 9776-t, 9777-t, 9780-t, 9781-t, 9783-t. S. Nos. E-3077, E-3078, E-3109, E-3116, E-3200, E-3352.)

On February 2 and 7, March 14, April 4, and May 6, 1921, respectively, the United States attorney for the District of Porto Rico, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 17 $\frac{1}{2}$ dozen bottles and 3 dozen packages of Johnson's Female Regulator, remaining in the original unbroken packages at Mayaguez, San Juan, and Ponce, P. R., respectively, alleging that the article had been shipped in part by the Logan Pharmacal Co., Philadelphia, Pa., and in part by the France and New York Medicine Co., New York, N. Y., between the respective dates February 23, 1920, and some time within the month of February, 1921, and transported from the States of Pennsylvania and New York, respectively, into the island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of sugar-coated pills containing extracts of vegetable drugs.

It was alleged in substance in the libels that the article was misbranded so as to deceive and mislead the purchaser in that the following statements regarding the curative and therapeutic effect of the said article. (bottle and carton, all consignments) "Regulador * * * para La Mujer Regulariza las Funciones del Periodo Corrije las Afecciones de la Matriz. * * * restoring weak generative organs to health and strength; * * * relieving pain during labor; efficacious in nervousness and female debility, ailments of the ovaries and the uterus, bearing-down pains, lack of ambition, melancholy, hemorrhages, irritation, dizziness, loss of sleep, pains in the sides and back, tired feeling, fainting spells, besides suppression and other menstrual irregularities * * *," (carton only, all consignments) " * * * Ideal For Inflammation Ulceration Or Falling Of Womb For Sick Ovaries, Leucorrhea, And Irregular Menstruation * * *," (circular contained in a portion of the consignments) "Female Regulator * * * stimulates the debilitated system of women. * * * the ideal specific * * * correct the disorders and diseased conditions of the womb * * * give animation to the fallen spirit of women * * * the tormenting pain in the thighs, vertigo, and headache and backache disappear, the sight becomes clear and the overcharged brain relieved, preventing the unpleasant fainting caused by debility * * * nerves had become normal, * * * darkened vision, nervous irritation, hemorrhage, * * * disappeared. * * * the hysteria or weeping * * * as well as ovaric neuralgia, also ceased * * *," were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effect claimed.

On May 3 and August 25 and 29, 1921, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9848. Adulteration of coal-tar color. U. S. * * * v. 1 Pound Can of Coal-Tar Color. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14645. I. S. No. 3684-t. S. No. C-2875.)

On March 25, 1921, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 pound can of coal-tar color, remaining unsold in the original package at Central City, Ky., consigned by the W. B. Wood Mfg. Co., St. Louis, Mo., March 1, 1921, alleging that the article had been shipped from St. Louis, Mo., and transported from the State of Missouri into the State of Kentucky, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that sodium chlorid had been mixed and packed with, and substituted wholly or in part for, the said article, and for the further reason that it contained an added poisonous or deleterious ingredient, to wit, arsenic, which might render the said article injurious to health.

On June 28, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9849. Misbranding of Southern stock powders. U. S. * * * v. 58 Packages of Southern Stock Powders. Tried to a jury. Verdict finding product misbranded. Order of condemnation, forfeiture, and destruction entered. (F. & D. Nos. 14654, 14655. Inv. Nos. 30045, 30046. S. No. E-3193.)

On March 23, 1921, the United States attorney for the Western District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 58 packages of Southern stock powders, at Greenville, S. C., alleging that the article had been shipped by the Southern Stock Food Co., Atlanta, Ga., on or about January 21, 1921, and transported from the State of Georgia into the State of South Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of iron sulphate, arsenic, nuxvomica, antimony, aloes, a nitrate, salt, soda, and ground vegetable material.

Misbranding of the article was alleged in substance in the libel for the reason that the cartons containing the said article bore statements regarding the curative and therapeutic effects thereof and the ingredients or substances contained therein, to wit, "* * * Hog Cholera—Will be prevented if you start in time to feed all your hogs Southern Stock Powders. * * * in the preparation of these Powders we have carefully considered cholera," which were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 9, 1921, the case having come on for final disposition before a jury, a verdict was entered finding the product to be misbranded as alleged in the libel, and it was ordered by the court that the said product be condemned and forfeited and that it be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9850. Misbranding of Fosfo-Ferrogen De Johnson. U. S. * * * v. 8 Dozen Bottles of Fosfo-Ferrogen De Johnson. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13795. I. S. No. 9754-t. S. No. E-2817.)

On October 22, 1920, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 dozen bottles of Fosfo-Ferrogen De Johnson, at San Juan, P. R., alleging that the article had been offered for sale and sold in the island of Porto Rico on or about July 13, 1920, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained caffeine and compounds of iron, quinine, strychnine, arsenic, and calcium.

It was alleged in substance in the libel that the article was misbranded so as to deceive the purchaser, in that the following statements regarding the curative and therapeutic effect thereof, (bottle, in Spanish) " * * * Cerebral Reconstituent Increases Physical and Intellectual Power For * * * General Debility * * *," (in English and Spanish) " * * * changing pathological conditions into physiological ones, * * * Valuable in the Treatment of Physics [Phthisis] * * * Neurasthenia, * * * Impotence, Nervousness and General Debility," (identical statements on carton except that "General Debility" does not appear) (circular, in Spanish) " * * * Fosfo-Ferrogen De Johnson Herculeanizes in a short time an infinite number of the Anemic and Weak, making of them Robust Children, Strong Women and Men * * * Cerebral Reconstituent For Tuberculosis * * * General Debility * * * constitutes one of the ideal reconstituents * * * for the treatment of Nervous Debility, Neurasthenia, Sexual Debility, Excessive Losses of Phosphorus, Impotence, * * * typical Irregularities of weak female organism, * * * in cases of incipient tuberculosis, * * * we recommend Fosfo-Ferrogen de Johnson for all those * * * who lack vitality * * *," were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 3, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

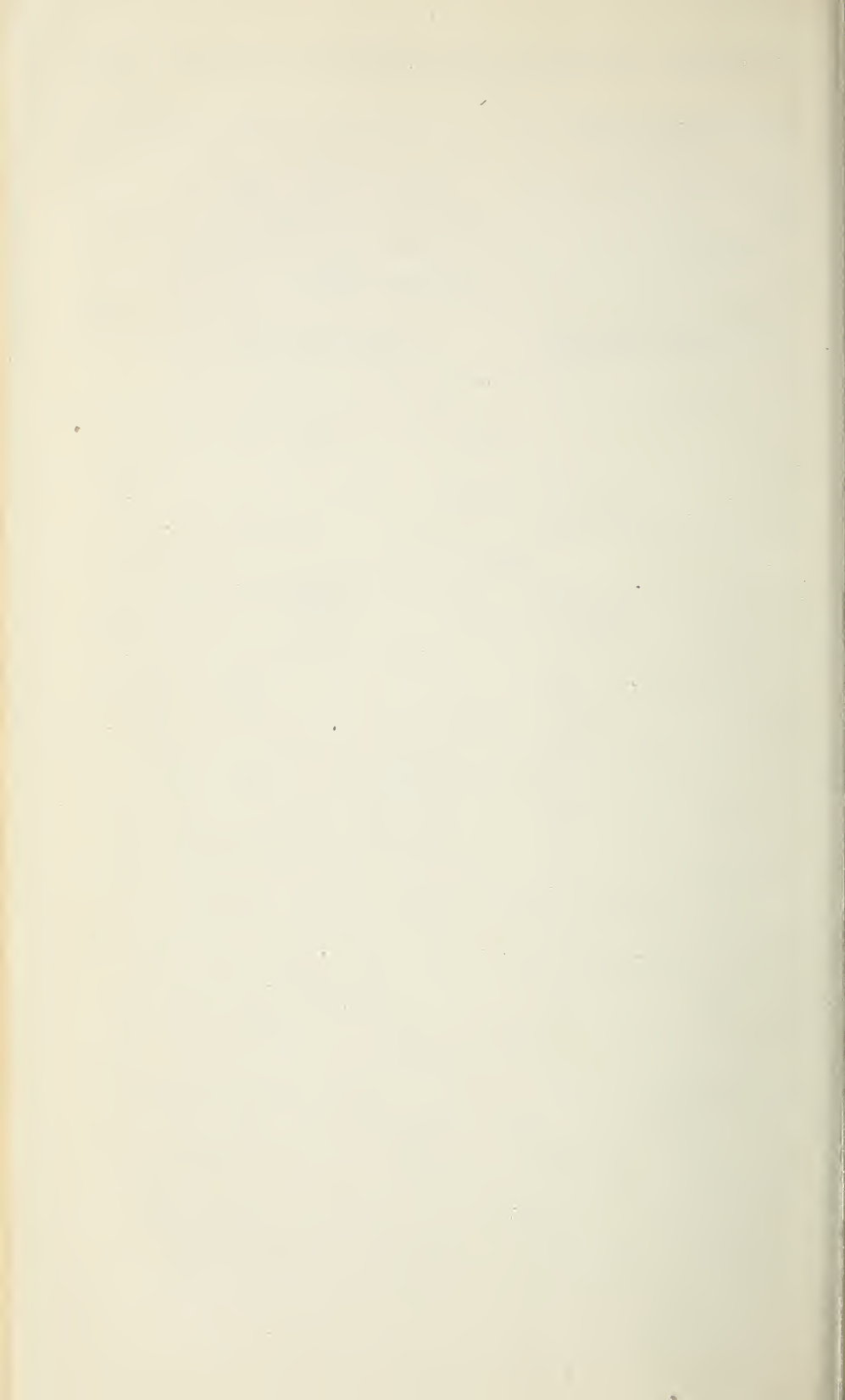
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Blood poison, specific, tablets. <i>See</i>		rheumatic remedy:	
Tablets.		Diemer, Dr. F. W., Medi-	
Bran feed. <i>See</i> Feed.		cine Co.....	9830
Burgundy, sparkling:		treatment for piles:	
Mumm, H. G., and Co....	9820	Diemer, Dr. F. W., Medi-	
Butter:		cine Co.....	9830
Centralia Butter Co.....	9840	Dyspepsia tablets. <i>See</i> Tablets.	
Cadomene tablets:		Eggs:	
Barry, E. J., Co.....	9841	Brookland Feed Co.....	9824
Capsules, Methyloids:		Ellis, Thos. E.....	9846
Stearns, Frederick, and Co..	9819	Farmers Produce Co.....	9845
Champagne:		Russell, Jeff.....	9825
Mumm, H. G., and Co....	9820	Emmenagogue pills. <i>See</i> Pills.	
Cholera and blackhead cure:		Euca-Mul:	
Kelsch, Joseph Martin....	9836	Binz, Edward G., Co..	9842, 9843
Cider:		Feed, bran:	
Food Products Co.....	9821	Pillsbury Flour Mills Co..	9834
Coal-tar color. <i>See</i> Color.		cottonseed cake:	
Color, coal-tar:		Liberty Cotton Oil Co....	9844
Wood, W. B., Mfg. Co....	9848	Osage Cotton Oil Co.....	9829
Cotton root, pennyroyal, tansy, and		cottonseed meal:	
apiol tablets. <i>See</i> Tablets.		Osage Cotton Oil Co.....	9829
Cottonseed cake. <i>See</i> Feed.		digester tankage:	
meal. <i>See</i> Feed.		McMillen Co.....	9809
Dean, Madame, female pills:		flour wheat middlings:	
Rudy, Martin.....	9816	Federal Grain Co.....	9827
Diemer's dyspepsia tablets:		hominy:	
Diemer, Dr. F. W., Medi-		Atlas Cereal Co.....	9823
cine Co.....	9830	mixed:	
female suppositories:		Quaker Oats Co.....	9828
Diemer, Dr. F. W., Medi-		wheat shorts:	
cine Co.....	9830	Holland-O'Neal Milling Co..	9835
hot toddy:		Female pills. <i>See</i> Pills.	
Diemer, Dr. F. W., Medi-		regulator. <i>See</i> Regulator.	
cine Co.....	9830	suppositories. <i>See</i> Suppositories.	
kidney and bladder tablets:		Fish, salmon:	
Diemer, Dr. F. W., Medi-		Tallant-Grant Packing Co..	9810
cine Co.....	9830	Fosfo-Ferrogen De Johnson:	
Laxative Grip-Malarine:		9850
Diemer, Dr. F. W., Medi-		Gleet prescription. <i>See</i> Prescrip-	
cine Co.....	9830	tion.	

	N. J. No.		N. J. No.
Gonorrhea prescription. <i>See</i> Prescription.		Pills, nerve:	
Grip-Malarine:		Lewis, A. H., Medicine Co.	9804
Diemer, Dr. F. W., Medicine Co.	9830	tansy:	
Hominy feed. <i>See</i> Feed.		Lichty, Norman, Mfg. Co.	9808
Howells' Lymphine tablets:		Wendell's:	
Howells, Chas. H., & Co.	9813	Wendell Pharmacal Co.	9805, 9817
Ice cream flavor:		Prescription for gonorrhea and gleet:	
Wood, W. B., Mfg. Co.	9806	Diemer, Dr. F. W., Medicine Co.	9830
Johnson Fosfo-Ferrogen:		Regulator, female:	
_____	9850	France and New York Medicine Co.	9847
Johnson's female regulator:		Logan Pharmacal Co.	9847
France and New York Medicine Co.	9847	Rheumatic remedy:	
Logan Pharmacal Co.	9847	Diemer, Dr. F. W., Medicine Co.	9830
Kelsch's blackhead and cholera cure:		Salmon. <i>See</i> Fish.	
Kelsch, Joseph Martin.	9836	Salve, Patten's:	
Kidney and bladder tablets. <i>See</i> Tablets.		Patten, J. H.	9833
Laxative Grip-Malarine. <i>See</i> Tablets.		Shorts. <i>See</i> Feed.	
Leslie's emmenagogue pills:		Southern stock powders:	
Palestine Drug Co.	9838	Southern Stock Food Co.	9849
Lewis's nerve pills:		Specific blood poison tablets. <i>See</i> Tablets.	
Lewis, A. H., Medicine Co.	9804	Stock powders:	
Lymphine tablets. <i>See</i> Tablets.		Southern Stock Food Co.	9849
Manhood tablets. <i>See</i> Tablets.		Suppositories, female:	
Methyloids:		Diemer, Dr. F. W., Medicine Co.	9830
Stearns, Frederick, & Co.	9819	for piles:	
Middlings. <i>See</i> Feed.		Diemer, Dr. F. W., Medicine Co.	9830
Nerve pills. <i>See</i> Pills.		Tablets, Ammonol:	
tablets. <i>See</i> Tablets.		Ammonol Chemical Co.	9822
tonic:		Cadomene:	
Palestine Drug Co.	9839	Barry, E. J., Co.	9841
Nerv-Mintz:		dyspepsia:	
Earle Chemical Co.	9801, 9802, 9812	Diemer, Dr. F. W., Medicine Co.	9830
Parry's vegetable compound:		hot toddy:	
Parry Medicine Co.	9818, 9832	Diemer, Dr. F. W., Medicine Co.	9830
Patten's salve:		kidney and bladder:	
Patten, J. H.	9833	Diemer, Dr. F. W., Medicine Co.	9830
Peas:		Laxative Grip-Malarine:	
Abbott, Riley C.	9826	Diemer, Dr. F. W., Medicine Co.	9830
Pennyroyal and tansy compound. <i>See</i> Tablets.		Lymphine:	
tansy, cotton root, and apiol tablets. <i>See</i> Tablets.		Howells, Chas. H., & Co.	9813
Pierce's tansy, cotton root, pennyroyal, and apiol tablets:		manhood:	
Pierce, Robert J.	9811	Diemer, Dr. F. W., Medicine Co.	9830
Pies:		Hollander-Koshland Co.	9837
Case & Martin Co.	9815	nerve:	
Piles, suppositories for:		Biel Mfg. Co.	9814
Diemer, Dr. F. W., Medicine Co.	9830	Nerv-Mintz:	
Pills, emmenagogue:		Earle Chemical Co.	9801, 9802, 9812
Palestine Drug Co.	9838	pennyroyal and tansy compound:	
female:		Diemer, Dr. F. W., Medicine Co.	9830
Rudy, Martin.	9816		
female regulator:			
France and New York Medicine Co.	9847		
Logan Pharmacal Co.	9847		

	N. J. No.		N. J. No.
Tablets, rheumatic remedy:		Tansy and pennyroyal compound.	
Diemer, Dr. F. W., Medi-		See Tablets.	
cine Co-----	9830	Thomas' emmenagogue pills:	
specific blood poison:		Palestine Drug Co-----	9838
Diemer, Dr. F. W., Medi-		Toddy, hot. See Tablets.	
cine Co-----	9830	Vegetable compound:	
tansy, cotton root, pennyroyal,		Parry Medicine Co-----	9818, 9832
and apiol:		Vinegar:	
Pierce, Robert J-----	9811	Kistler Vinegar Works-----	9831
Tankage. See Feed.		Wendell's pills:	
Tansy pills. See Pills.		Wendell Pharmacal Co-----	9805.
cotton root, pennyroyal, and			9819
apiol tablets. See Tablets.		Wheat middlings. See Feed.	
		shorts. See Feed.	





United States Department of Agriculture,

BUREAU OF CHEMISTRY.

W. G. CAMPBELL, Acting Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 9851-9900.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., February 13, 1922.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

9851. Misbranding of Dr. Hooker's cough and croup sirup. U. S. * * *
v. Charles B. Kingsley. Plea of nolo contendere. Information
placed on file. (F. & D. No. 13947. I. S. No. 13188-r.)

On March 14, 1921, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles B. Kingsley, Northampton, Mass., alleging shipment by said defendant, on or about August 29, 1919, in violation of the Food and Drugs Act, as amended, from the State of Massachusetts into the State of Connecticut, of a quantity of Dr. Hooker's cough and croup sirup which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained oil of anise, oil of wintergreen, alcohol, sugar, water, bloodroot, and a balsam, probably tolu.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the curative and therapeutic effects thereof, appearing on the labels of the bottles containing the said article and in an accompanying wrapper, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for croup, catarrh, whooping cough, asthma, incipient consumption, and all diseases of the throat and lungs, and effective as a preventive for croup and consumption, when, in truth and in fact, it was not.

On June 10, 1921, the defendant entered a plea of nolo contendere to the information, and the court ordered the information placed on file.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9852. Misbranding of Donaldson's Wonderful New Life Remedy. U. S.
*** * v. Thomas Beck Donaldson (T. B. Donaldson Medicine Co.).**
Plea of guilty. Fine, \$100. (F. & D. No. 13948. I. S. No. 16606-r.)

On March 16, 1921, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district an information against Thomas Beck Donaldson, trading as the T. B. Donaldson Medicine Co., Philadelphia, Pa., alleging shipment by said defendant, on or about December 26, 1919, in violation of the Food and Drugs Act, as amended, from the State of Pennsylvania into the State of Maryland, of a quantity of Donaldson's Wonderful New Life Remedy which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a hydro-alcoholic solution containing small amounts of various plant extractives, with Epsom salts, lovage, licorice, gentian, and cubebbs apparently present.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles and cartons containing the said article and in circulars inclosed in said cartons, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for all blood diseases, stomach and liver difficulties, dyspepsia, syphilis, scrofula, erysipelas, catarrh, liver complaints, rheumatism, enlargement of liver, diseases of the kidneys, nervous debility, dropsical conditions, and indigestion, and for all diseases of the system emanating from the vital organs, when, in truth and in fact, it was not.

On June 22, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9853. Misbranding of Allan's Star Brand pills. U. S. * * * v. 6 Packages of Allan's Star Brand Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13957. I. S. No. 2078-t. S. No. C-2590.)

On or about January 5, 1921, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 packages of Allan's Star Brand pills, remaining in the original unbroken packages at Jackson, Miss., alleging that the article had been shipped by the Allan-Pfeiffer Chemical Co., St. Louis, Mo., on or about June 1, 1920, and transported from the State of Missouri into the State of Mississippi, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Circular) " * * * A Good Remedy In Suppressed Or Painful Menstruation. * * * to bring on the menses * * * immediately preceding the expected appearance of the menstrual flow * * * treatment should begin. * * * Take one Pill * * * Continue this treatment * * * until a satisfactory result is secured. To Prevent Irregularities—Take one Pill * * * four or five days preceding the expected appearance of the menstrual period. For Painful Menstruation—The same treatment prescribed for suppression."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained calcium carbonate, sugar, iron sulphate, aloes, and starch.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effect thereof, appearing in the circular inclosed in the packages containing the article, were false and fraudulent in that the said article had not the curative or therapeutic effect so claimed in the said statements and contained no ingredient or combination of ingredients capable of producing such effects.

On May 2, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9854. Misbranding of Madam LeRoy's regulative pills. U. S. * * * v. 8 Boxes of Madam LeRoy's Regulative Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13962. I. S. No. 2079-t. S. No. C-2594.)

On December 30, 1920, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 boxes of Madam LeRoy's regulative pills, remaining in the original unbroken packages at Jackson, Miss., alleging that the article had been shipped by the LeRoy Chemical Co., Baltimore, Md., on or about January 31, 1919, and transported from the State of Maryland into the State of Mississippi, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) " * * * Regulative Pills * * * Reliable Female Regulating Pills * * * "; (circular) " * * * Regulative Pills * * * A Menstrual Regulative * * * an excellent formula for regulating the menstrual flow. We have been selling them for many years with the most satisfactory results * * * for * * * suppressed or scanty menses, * * * will assist in restoring a normal condition * * * although the Pills are more effective about the regular time for the menstrual flow, the best results are usually obtained by beginning treatment immediately and continuing until the Pills give relief. * * * keep up treatment until the desired result is obtained * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained aloes, essentially, with traces of pennyroyal and tansy, in the form of a coated pill.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements regarding its curative and therapeutic effect, appearing in the label of the box containing the said article and in the accompanying circular, were false and fraudulent in that the said article had not the curative or therapeutic effect so claimed in said statements and contained no ingredient or combination of ingredients capable of producing such effect.

On May 3, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9855. Adulteration of tomato catsup. U. S. * * * v. 110 Cases of Catsup. Judgment of the court ordering release of product under bond to be salvaged. (F. & D. No. 14140. I. S. Nos. 5825-t, 5826-t. S. No. E-3040.)

On January 5, 1921, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 110 cases of catsup, remaining unsold in the original unbroken packages at Bellefonte, Pa., alleging that the article had been shipped by the Serv-Us Pure Food Co., Mound City, Ill., on or about November 7, 1920, and transported from the State of Illinois into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On February 10, 1921, the Sears & Nichols Canning Co. having entered an appearance as claimant for the property, having admitted that a portion of the said product was adulterated but denying responsibility therefor, having averred that the bottles, screw caps, boxes, and fillers were valuable and could be salvaged and that a part of the product could be re-processed and made fit for food and praying permission to salvage said parts and re-process said portion of the product under the direction of the Department of Agriculture, and having agreed to enter into a satisfactory bond to secure compliance with such condition, it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned that the said product be examined and disposed of under the direction of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9856. Misbranding of Naphtholene. U. S. * * * v. 36 Bottles * * * of * * * Naphtholene. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14141. I. S. No. 3977-t. S. No. C-2671.)

On January 5, 1921, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 36 bottles, more or less, of Naphtholene, remaining in the original unbroken packages at Higginsville, Mo., alleging that the article had been shipped by Dr. E. E. Sonnanstine, La Junta, Colo., on or about May 27, 1920, and transported from the State of Colorado into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "The Great Remedy for Rheumatism, Neuralgia, Lumbago, Goiter, Tumor, Catarrh, Hay Fever, Diphtheria, Croup, Grip, Diabetis, Lung Diseases, Appendicitis, * * * Kidney Diseases * * * Pleurisy, Pneumonia, Eczema, Salt Rheum, Bronchitis, Asthma, Scrofula, Toothache, Earache, and all skin diseases; all diseases of Germ or Parasitic origin; and all Diseases from inflammation from any cause * * *"; (circular) " * * * This remedy, * * * destroys the superabundance of germs * * * thereby removing the cause of the disease. There are hundreds * * * who have been cured of lung disease by using Naphtholene * * * What for others it will do, why not do the same for you? Rheumatism * * * Acute, and Articular * * * Inflammatory Rheumatism * * * Sciatica, or Nervous Rheumatism * * * Neuralgia * * * Lumbago * * * Cancer * * * Goiter * * * Tumor * * * Catarrh * * * Earache and Deafness * * * Hay Fever * * * Diphtheria * * * Use it freely * * * and prevent the spread of the disease. Croup * * * La Grippe * * * Influenza * * * Toothache * * * Stomach Diseases For any and all diseases of the stomach, * * * Cures indigestion and overcomes constipation. Its use has entirely cured Piles, Hemorrhoids. * * * Lung Diseases * * * Kidney Diseases * * * Bright's disease * * * Pleurisy * * * Use internally for several days * * * to prevent return * * * Worms * * * of any kind are killed and dissolved and pass with the stools * * * Pneumonia * * * Eczema * * * salt rheum, erysipelas, ring worm, tetter, scrofula or syphilis and barber's itch, * * * all skin diseases * * * Appendicitis * * * Asthma and Throat

Troubles * * * Painful Menstruation * * *"; (carton) " * * * For Rheumatism, Neuralgia, Lumbago, Goitre, Tumor, Catarrh, Hay Fever, Diphtheria, Croup, Grip, Diabetes, Lung Diseases, Appendicitis, * * * Kidney Diseases, * * * Pleurisy, Pneumonia, Eczema, Asthma, Salt Rheum, Bronchitis, Scrofula, Toothache, Earache, and all Skin Diseases. All Diseases of Germ or Parasite Origin; and All Diseases from Inflammation from Any Cause * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained gasoline, kerosene, and a small amount of resin of red pepper.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the labels on the bottles and cartons containing the said article and in the accompanying circular, regarding the curative and therapeutic effect thereof, were false and fraudulent in that the said article did not contain any ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On February 12, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9857. Adulteration and misbranding of cayenne pepper. U. S. * * * v. 3 Barrels of Cayenne Pepper. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 14156. I. S. No. 3671-t. S. No. C-2663.)

On January 6, 1921, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 barrels of cayenne pepper, remaining unsold in the original unbroken packages at St. Louis, Mo., in possession of the James H. Forbes Tea & Coffee Co., St. Louis, Mo., alleging that the article had been reshipped by the consignee thereof from Indianapolis, Ind., on or about September 21, 1920, and transported from the State of Indiana into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, (barrel) "Packed by James H. Forbes Tea & Coffee Co., St. Louis, Mo. * * * F. F. Cayenne."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained sand.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy and decomposed vegetable substance.

Misbranding was alleged in substance for the reason that the statement on the label, to wit, "Cayenne," was false and misleading and deceived the purchaser into the belief that the product consisted wholly of pepper, whereas it contained another article.

On June 21, 1921, the James H. Forbes Tea & Coffee Co., St. Louis, Mo., claimant, having admitted the allegations in the libel and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the said product be not used for human consumption.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9858. Adulteration of alfalfa meal. U. S. * * * v. 390 Sacks of Alleged Number 2 Alfalfa Meal. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14163. I. S. No. 286-t. S. No. C-2652.)

On December 31, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 390 sacks of alfalfa meal, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Lamar Alfalfa Milling Co., May Valley, Colo., on or about December 9, 1920, and transported from the State of Colorado into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy and decomposed vegetable substance.

On June 3, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9859. Adulteration and misbranding of vinegar. U. S. * * * v. 4 Barrels and 14 Barrels * * * of Vinegar. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 14180, 14193. I. S. Nos. 2324-t, 2320-t. S. Nos. C-2676, C-2677.)

On or about January 14, 1921, the United States attorney for the Southern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 4 barrels and 14 barrels, more or less, of vinegar, remaining in the original packages at Decatur and Springfield, Ill., respectively, alleging that the article had been shipped by the National Vinegar Co., St. Louis, Mo., on or about June 11 and October 13 and 20, 1920, respectively, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, (barrel) "National Vinegar Co., 46 Fermented Corn Sugar Vinegar Made in St. Louis."

Adulteration of the article was alleged in the libels for the reason that distilled vinegar or dilute acetic acid had been mixed and packed with, and substituted wholly or in part for, the said article.

Misbranding was alleged in substance for the reason that the statement "Corn Sugar Vinegar," borne on the barrels containing the article, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the said article was an imitation of, and was offered for sale under the distinctive name of, another article.

On July 25, 1921, the National Vinegar Co., St. Louis, Mo., having entered an appearance as claimant for the property and the cases having come on for final disposition, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$400, in conformity with section 10 of the act, conditioned in part that the said product be relabeled as "Imitation Corn Sugar Vinegar Composed of Distilled Vinegar and Colored with Corn Sugar Mash."

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9860. Misbranding of Hall's catarrh medicine. U. S. * * * v. 211 Bottles of Hall's Catarrh Medicine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14033. Inv. No. 24931. S. No. E-2929.)

On December 15, 1920, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 211 bottles of Hall's catarrh medicine, remaining unsold in the original unbroken packages at Scranton, Pa., alleging that the article had been shipped by F. J. Cheney and Co., Toledo, Ohio, on or about May 21, 1920, and transported from the State of Ohio into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained a solution in water of alcohol, potassium iodid, sugar, bitter plant extractives, and cardamom flavor.

Misbranding of the article was alleged in the libel for the reason that the following statements appearing on the label of the bottle containing the said article and in the accompanying booklet, regarding the curative and therapeutic effects thereof, to wit, (bottle) "Hall's Catarrh Medicine * * * valuable in the treatment of catarrh * * *," (booklet) "* * * For Catarrh of the Nasal Cavity, Catarrh of the Ear, Throat, Stomach, Bowels or Bladder. * * * a Blood Purifier * * *," were false and fraudulent, inasmuch as the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 27, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9861. Adulteration and misbranding of Razzle Dazzle. U. S. * * * v. 8 Gallons * * * and 16 Gallons of * * * Razzle Dazzle * * *. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14037, 14126. I. S. Nos. 1578-t, 1583-t. S. Nos. C-2606, C-2651.)

On December 17, 1920, and January 3, 1921, respectively, the United States attorney for the Northern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 8 gallons and 16 gallons of Razzle Dazzle, at St. Henry, Ohio, alleging that the article had been shipped by the Honey Boy Cordial Co., St. Louis, Mo., on or about October 11 and November 9, 1920, respectively, and transported from the State of Missouri into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, (kegs) "Honey Boy Brand 16 Gallons Non-Alcoholic Cordial Razzle Dazzle * * *."

Adulteration of the article was alleged in substance in the libels for the reason that an artificially colored product sweetened with saccharin and preserved with undeclared benzoate of soda had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and had been substituted in part for a non-alcoholic cordial, which the article purported to be. Adulteration was alleged for the further reason that the article contained an added poisonous or other deleterious ingredient, namely, saccharin, which might render it injurious to health. Adulteration was alleged with respect to the product involved in the consignment of November 9, 1920, for the further

reason that it was mixed and colored in a manner whereby damage and inferiority had been concealed.

Misbranding was alleged in substance for the reason that the statement and designation "Non-Alcoholic Cordial" was false and misleading and deceived and misled the purchaser when applied to an artificially colored beverage sweetened with saccharin and preserved with undeclared benzoate of soda, and for the further reason that the said article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, non-alcoholic cordial.

On February 15, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9862. Misbranding of pears. U. S. * * * v. John Fabian. Plea of guilty. Fine, \$25. (F. & D. No. 14058. I. S. No. 629-t.)

On April 27, 1921, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John Fabian, South Haven, Mich., alleging shipment by said defendant, on or about August 24, 1920, in violation of the Food and Drugs Act, as amended, from the State of Michigan into the State of Illinois, of a quantity of pears, in unlabeled baskets, which were misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 26, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9863. Adulteration and misbranding of rice. U. S. * * * v. 25 Sacks of Rice. Default decree of condemnation and forfeiture. Product ordered sold for purposes other than human consumption. (F. & D. No. 14084. I. S. No. 3560-t. S. No. C-2643.)

On December 16, 1920, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 sacks of rice, remaining in the original unbroken packages at Minnesota Transfer, Minn., alleging that the article had been shipped by the Tyrrell Rice Milling Co., Beaumont, Tex., on or about June 17, 1920, and transported from the State of Texas into the State of Minnesota, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, putrid, and decomposed vegetable substance.

Misbranding was alleged for the reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 8, 1921, no claimant having appeared for the property, a decree of the court ordering the condemnation, forfeiture, and destruction of the product was entered, and on July 25, 1921, the court entered an amended decree ordering that the said product be salvaged by the United States marshal and sold for purposes other than human consumption.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9864. Misbranding of Nervosex tablets. U. S. * * * v. 10 Packages * * * of * * * Nervosex Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14120. I. S. No. 13453-t. S. No. C-2649.)

On December 29, 1920, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 packages, more or less, of Nervosex tablets, remaining unsold in the original unbroken packages at Wichita, Kans., alleging that the article had been shipped by the United Laboratories, Inc., St. Louis, Mo., on or about August 31, 1920, and transported from the State of Missouri into the State of Kansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained strychnine, phosphates, iron, zinc, and calcium compounds.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding the therapeutic or curative effect thereof, appearing in the label of the box containing the said article, to wit, "A compound of Nerve and Muscle Stimulants for Low Vitality, Lack of Energy, Sexual Weakness * * *," were false and fraudulent in that they were applied to the article so as to represent falsely and fraudulently, and create in the minds of purchasers thereof the impression and belief, that the said article was composed of or contained ingredients or medicinal agents capable of producing the therapeutic effect claimed for it in the said statements, when, in truth and in fact, it contained no ingredient or combination of ingredients capable of producing such effect.

On June 28, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, Acting Secretary of Agriculture.

9865. Adulteration of tomato catsup and tomato sauce. U. S. * * * v. 1,750 Cases of Tomato Catsup, et al. Decrees ordering release of products under bond to be salvaged. (F. & D. Nos. 14123, 14124, 14164, 14165, 14166, 14167, 14168, 14169, 14170, 14171, 14172, 14229, 14385. I. S. Nos. 1651-t, 2100-t, 1655-t, 1656-t, 1657-t, 1658-t, 1659-t, 1660-t. S. Nos. C-2653, C-2645, C-2718, C-2761.)

On or about December 21 and 28, 1920, and January 21 and February 21, 1921, respectively, the United States attorney for the Eastern District of Louisiana, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of approximately 4,245 cases of tomato catsup and 1,264 cases of tomato sauce, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the articles had been shipped by the J. T. Polk Co., Chicago, Ill., on or about the respective dates October 25 and 28 and November 16 and 29, 1920, and transported from the State of Illinois into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act. The articles were labeled in part, respectively, (bottle and case) "Polk's Best Catsup * * *," (cans and case) "Polk's Best Spanish Style Tomato Sauce * * *."

Adulteration of the articles was alleged in the libels for the reason that they consisted wholly or in part of filthy, decomposed, and putrid vegetable substances.

On August 5, 1921, the Sears and Nichols Canning Co., Chillicothe, Ohio, having succeeded to the interests of the consignee and having entered an

appearance as claimant for the property, and having requested that it be returned to the said claimant for the purpose of salvaging the bottles, screw caps, boxes, and fillers and of examining the said products to determine whether or not a portion thereof was fit for consumption, it was ordered by the court that the products be released to said claimant upon payment of the costs of the proceedings and the execution of satisfactory bonds in conformity with section 10 of the act, conditioned in part that they be examined as requested, the bad portion destroyed, and the good portion released upon examination and approval by a representative of this department; and it was further ordered that the said claimant be permitted to salvage the said bottles, screw caps, boxes, and fillers.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9866. Misbranding of Egyptian regulator tea. U. S. * * * v. 11 Packages * * * and 23 Packages * * * of Egyptian Regulator Tea. Default decree of condemnation, forfeiture, and destruction.
(F. & D. No. 14293. Inv. No. 26254. S. No. E-3188.)

On March 16, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 11 packages, medium size, and 23 packages, small size, more or less, of Egyptian regulator tea, at Washington, D. C., alleging that the article had been shipped by the McCullough Drug Co., Lawrenceburg, Ind., on or about February 17, 1921, and transported from the State of Indiana into the District of Columbia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained senna, taraxacum, balmony, cassia, coriander, triticum, ginger, sambucus, and licorice.

Misbranding of the article was alleged in the libel for the reason that each of the packages containing the said article were labeled as follows, (white circular) "Egyptian Regulator Tea * * * A Speedy and Positive relief for * * * Dyspepsia, Liver Complaint, Sick Headache, Nervousness. * * * Nature's Own Gift To Dyspeptic, Debilitated Men, to Wornout, Nervous Women, to Mothers of Peevish and Sickly Children, to Girls Just Budding into Womanhood, to Sufferers from Defective Nutrition and Blood Diseases, to Corpulent People, whether Male or Female, Old or Young. * * * Rheumatism, Neuralgia, Sick Headache, pains in all parts of the body. Running Sores, Pimples, Boils, Carbuncles and Skin Diseases. * * * Lung Trouble and Consumption, Premature Old Age, Lack of Youthful Energy, Beauty and Vigor, Sallow Complexion, and Haggard, Careworn Look * * * diabetes, * * * Malaria, * * * killing the Disease Germs, * * * Heart Troubles, Paralysis, Rheumatism, Gout * * * apoplexy," (blue wrapper) "Egyptian Regulator Tea A Remedy For * * * Dyspepsia, Sick Headache, and all Disorders of the Stomach. Its daily use will Purify the Blood, Remove all Blotches from the Face, and Restore the Complexion. Ladies will find this a valuable remedy for all Female Complaints. Also for Liver and Kidney trouble. * * * An Excellent Remedy For * * * Dyspepsia, * * * Rheumatism, Nervousness, Liver Complaints, Sick Headache, Also Corpulency, Etc. * * *," which statements were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the said article so as to represent falsely and fraudulently, and to create in the minds of purchasers thereof the impression and belief, that it

possessed the curative and therapeutic qualities claimed for it, whereas, in truth and in fact, it did not.

On June 11, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9867. Adulteration and misbranding of vinegar. U. S. * * * v. 20 Barrels, 18 Barrels, and 3 Barrels * * * of Cider Vinegar. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14294, 14295, 14296. I. S. No. 5163-t. S. No. E-3106.)

On March 24, 1921, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 20 barrels, 18 barrels, and 3 barrels, more or less, of cider vinegar, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by J. C. Vosburgh, Palatine Bridge, N. Y., on or about October 28, 1920, and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libels for the reason that substances, to wit, apple waste vinegar and distilled vinegar, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in whole or in part for pure cider vinegar, which the article purported to be. Adulteration was alleged for the further reason that the said substances, to wit, apple waste vinegar and distilled vinegar, had been mixed therewith in a manner whereby damage and inferiority were concealed.

Misbranding was alleged for the reason that the statement stenciled on the barrels containing the said article, regarding the article and the ingredients contained therein, to wit, "New York State Pure Cider Vinegar," was false and misleading in that the said statement represented to the purchaser thereof that the article was pure cider vinegar, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser thereof into the belief that the article was pure cider vinegar, whereas, in truth and in fact, it was not pure cider vinegar, but was a product composed in part of apple waste vinegar and distilled vinegar. Misbranding was alleged for the further reason that the article was a product composed in part of apple waste vinegar and distilled vinegar, prepared in imitation of pure cider vinegar, and was offered for sale under the distinctive name of another article, to wit, pure cider vinegar, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 12, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9868. Adulteration and misbranding of vinegar. U. S. * * * v. 35 Cases, 21 Cases, and 15 Cases of Vinegar. Default decrees of condemnation, forfeiture, and sale or destruction. (F. & D. Nos. 14410, 14411, 14412. I. S. Nos. 6359-t, 6488-t, 6360-t. S. Nos. E-3106, E-3107, E-3108.)

On February 7, 1921, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court

of the United States for said district libels for the seizure and condemnation of 35 cases, 21 cases, and 15 cases of vinegar, remaining in the original unbroken packages at Waterbury, New Britain, and New Haven, Conn., respectively, alleging that the article had been shipped by the Naas Cider & Vinegar Co., Inc., Cohocton, N. Y., in part August 10 and in part September 20, 1920, and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, (bottle) "Steuben Brand Reduced To 4% Acetic Acid * * * Made From Apples * * * Net Contents One Pint. Reduced Cider Vinegar Fermented Naas Cider & Vinegar Co., Inc., Cohocton, N. Y."

Adulteration of the article was alleged in substance in the libels for the reason that distilled vinegar had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly or in part for the said article, and for the further reason that it was mixed in a manner whereby damage or inferiority was concealed.

Misbranding was alleged for the reason that the said cases and bottles bore certain statements, words, and devices regarding the article, to wit, "Cider Vinegar Fermented Made From Apples * * * Net Contents One Pint," together with a design showing a red apple, which were false and misleading, and which were of such a character as to induce the purchaser to believe that the article was cider vinegar, whereas, in truth and in fact, it was not, but was a product deficient in cider vinegar and containing distilled vinegar. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously stated in terms of weight or measure on the outside of the package, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, cider vinegar.

On April 14, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal or sold by the marshal if such sale could be speedily effected.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9869. Adulteration and misbranding of prepared mustard. U. S. * * * v. 101 Cases * * * of Prepared Mustard. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14621. I. S. Nos. 1103-t, 1104-t, 1105-t. S. Nos. C-2865, C-2866.)

On March 15, 1921, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 101 cases, more or less, of prepared mustard, remaining unsold in the original unbroken packages at Atchison, Kans., alleging that the article had been shipped in part by the Evans Rich Mfg. Co., St. Louis, Mo., November 12, 1920, and in part by the Bayle Food Products Co., St. Louis, Mo., July 24 and August 4, 1920, respectively, and transported from the State of Missouri into the State of Kansas, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. A portion of the article was labeled in part, (jars) "* * * Prepared Mustard Colored With Turmeric * * *." The remainder was labeled in part, (jars) "* * * Prepared mustard. Mustard Seed, Vinegar, Spices and Condiments, Colored With Turmeric * * *."

It was alleged in substance in the libel that the article was adulterated in that it contained mustard hulls, which had been packed and substituted for the pure article, and in that it had been colored in a manner to conceal inferiority.

It was alleged in substance that the article was misbranded in that the labels as above quoted were misleading and calculated to deceive the purchaser into the belief that the said article was pure mustard and in that the said article was a mixture [imitation] of, and was offered for sale under the distinctive name of, another article. Misbranding was alleged in substance for the further reason that the article was food in package form, and the quantity of the contents was not branded and conspicuously marked on the outside of the package.

On June 28, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9870. Adulteration of shell eggs. U. S. * * * v. Waite D. Law. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 11033. I. S. No. 5807-r.)

On February 4, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Waite D. Law, Springfield, Mo., alleging shipment by said defendant, on or about August 6, 1918, in violation of the Food and Drugs Act, from the State of Missouri into the State of Illinois, of a quantity of shell eggs which were adulterated.

Examination of 8 one-half cases showed 27.8 per cent of inedible eggs, consisting of black rots, mixed rots, spot rots, blood rings, and moldy eggs.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On October 5, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9871. Misbranding of Nervosex tablets. U. S. * * * v. 5 Boxes of Nervosex Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14194. Inv. No. 27002. S. No. C-2690.)

On January 17, 1921, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 boxes of Nervosex tablets, at San Antonio, Tex., alleging that the article had been shipped by the United Laboratories, Inc., St. Louis, Mo., on or about June 26, 1920, and transported from the State of Missouri into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained strychnine, phosphates, iron, zinc, and calcium compounds.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements and claims appearing on the boxes containing the said article, regarding the curative and therapeutic effects thereof, "Nervosex Tablets. A compound of Nerve and Muscle Stimulants for Low Vitality, Lack of Energy, Sexual Weakness * * *," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 2, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9872. Adulteration of ice cream. U. S. * * * v. Lagomarcine-Grupe Co., a Corporation. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 14363. I. S. No. 9960-r.)

On April 22, 1921, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Lagomarcine-Grupe Co., a corporation, Davenport, Iowa, alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about June 25, 1920, from the State of Iowa into the State of Illinois, of a quantity of a product invoiced as ice cream, which was adulterated.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cocoanut oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and had been substituted in whole or in part for ice cream, which the article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the said article, to wit, butter fat, had been abstracted in part therefrom.

On May 9, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9873. Misbranding of canned tomatoes. U. S. * * * v. 55 Cases * * * of Tomatoes. Decree ordering release of product under bond to be relabeled. (F. & D. No. 14369. I. S. No. 5926-t. S. No. E-3074.)

On January 29, 1921, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 55 cases, each containing 6 cans, of tomatoes, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by the Preston Canning Co., Preston, Md., on or about November 1, 1920, and transported from the State of Maryland into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Cans) "IXL Brand Tomatoes * * * Average Net Weight Of Contents 6 Pounds 7 Ozs. * * * Packed by Preston Canning Co., Preston, Md."

Misbranding of the article was alleged in substance in the libel for the reason that the labels on the cans containing the said article contained the statement, "Average Net Weight Of Contents 6 Pounds 7 Ozs.," which was false and misleading and deceived and misled the purchaser, since an examination of the said article showed it to be short weight. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight or measure.

On April 20, 1921, the Preston Canning Co., Preston, Md., having entered an appearance as claimant for the property and having filed an answer admitting that the facts set forth in the libel were true and praying leave to file a bond for the release of the product for the purpose of rebranding the same, it was ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that the product be rebranded so as to correctly state the average net weight of the contents of the said cans.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9874. Adulteration and misbranding of catsup. U. S. * * * v. 23 Cases, 80 Cases, and 35 Cases * * * of Catsup. Verdicts finding product adulterated and misbranded; product ordered released under bond to be salvaged. (F. & D. Nos. 14409, 14582, 14583, 14584. I. S. Nos. 9163-t, 9264-t, 9265-t, 9266-t. S. Nos. E-3110, E-3157-a.)

On February 7 and March 14, 1921, respectively, the United States attorney for the Western District of South Carolina, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 23 cases and 80 cases, 8-ounce bottles, and 35 cases, 16-ounce bottles, of catsup, at Rock Hill, Spartanburg, and Laurens, S. C., respectively, alleging that the article had been shipped by the J. T. Polk Co., Mound City, Ill., and transported in part from the State of Illinois into the State of North Carolina and reconsigned therefrom into the State of South Carolina, and in part from the State of Illinois direct to the State of South Carolina, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, (bottles) "Contents 8 Ozs." (or "16 Ozs.") "* * * Polk's Best Catsup J. T. Polk Company * * * Chicago, U. S. A. * * *."

Adulteration of the article was alleged in the libels for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance and of a filthy or decomposed vegetable substance.

Misbranding was alleged for the reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 7, 1921, the cases having come on for final disposition before the court and a jury and the Sears and Nichols Canning Co., Chillicothe, Ohio, successors to the interests of the J. T. Polk Co., having entered an appearance as claimant and having requested that the product be returned to them for the purposes of salvaging the bottles, screw caps, boxes, and fillers and for making an examination of the product to determine whether or not a portion thereof was fit for consumption, verdicts were returned finding the allegations of the libels to be true, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the said product be examined at the warehouse of the said claimant and the good portion segregated from the bad, the bad portion to be destroyed and the good portion to be released upon examination and approval of a representative of this department, and it was further ordered that the said claimant be given permission to salvage the bottles, screw caps, boxes, and fillers.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9875. Misbranding of Homosan. U. S. * * * v. 3½ Dozen Packages and 7 Dozen Packages of Homosan. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14420, 14629. I. S. Nos. 9778-t, 9782-t. S. Nos. E-3111, E-3178.)

On February 7 and March 14, 1921, respectively, the United States attorney for the District of Porto Rico, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 3½ dozen packages and 7 dozen packages of Homosan, remaining in the original unbroken packages at San Juan and Ponce, P. R., respectively, alleging that the article had been shipped by the International Toilet Co., Brooklyn, N. Y., in part on or about July 27, 1920, and in part during the year 1920 or 1921, and transported from the State of New

York into the island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of tablets containing a trace of strychnine.

It was alleged in substance in the libels that the article was misbranded so as to deceive and mislead the purchaser thereof, in that the following statements regarding the curative and therapeutic effect, (box label) "For weakness of the testicles, atrophy of the prostate gland, spermatorrhea, and impotence," (circular inclosed in box) "The sooner this is taken the sooner the cure. * * * Impotence, Homosan corrects the weakness of the testicles, the atrophy of the prostate, spermatorrhea and total impotence. The remedy exerts a notable aphrodisiac effect in the impotence of neurasthenic origin * * *," were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On May 3 and August 29, 1921, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9876. Adulteration of coal-tar color. U. S. * * * v. 1½ Pounds Red, 2 Pounds Yellow, 2 Pounds Brown, and 2 Pounds Purple Coal-Tar Color. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14428. I. S. Nos. 4755-t, 4756-t, 4757-t, 4758-t. S. No. C-2781.)

On March 4, 1921, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1½ pounds of red, 2 pounds of yellow, 2 pounds of brown, and 2 pounds of purple coal-tar color, at San Antonio, Tex., alleging that the articles had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., May 10, 1920, and transported from the State of Missouri into the State of Texas, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the articles was alleged in the libel for the reason that sodium chlorid had been mixed and packed with, and substituted wholly or in part for, the so-called red, yellow, brown, and purple coal-tar colors and for the further reason that they contained an added poisonous or deleterious ingredient, to wit, arsenic, which might render them injurious to health.

On May 31, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9877. Misbranding of Haskin's cough medicine. U. S. * * * v. 5 Dozen Bottles of Haskin's Cough Medicine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14484. Inv. No. 29316. S. No. E-3136.)

On February 25, 1921, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 dozen bottles of Haskin's cough medicine, remaining in the original unbroken packages at York, Pa., alleging that the article had been shipped by the Haskin Medicine Co., Binghamton, N. Y., on or about January 20, 1921, and transported from the State of New York into the State

of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained a dark brown liquid, carrying tar, chloroform, sugar, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing on the label of the carton and bottle containing the said article, regarding its curative and therapeutic effects, to wit, (carton) " * * * For All Diseases Of The Throat And Lungs * * * Hoarseness and all Pulmonary Affections. * * * For * * * Croup * * * Sore Throat And Influenza," (bottle) " * * * Consumption Remedy * * * Influenza, Consumption, Hoarseness * * * Pneumonia, Croup, Asthma and all Pulmonary Affections;" were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 25, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9878. Adulteration and misbranding of noodles. U. S. * * * v. Lee Lan, Lee Ching Hong, Lee Tung, Lung Pon, Leong Kong, Fong Jung, Lee Kow, Lee Pong, Lee Fook, Lee Dat Chow, Lee Wing, Mark Chung Mong, One Wah, Lee Leong, and Lee Young Lew (Yat Gaw Min Co.). Pleas of guilty. Fine, \$25. (F. & D. No. 14534. I. S. No. 16611-r.)

On May 21, 1921, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Lee Lan, Lee Ching Hong, Lee Tung, Lung Pon, Leong Kong, Fong Jung, Lee Kow, Lee Pong, Lee Fook, Lee Dat Chow, Lee Wing, Mark Chung Mong, One Wah, Lee Leong, and Lee Young Lew, trading as the Yat Gaw Min Co., New York, N. Y., alleging shipment by said defendants, on or about February 2, 1920, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Virginia, of a quantity of noodles which were adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was plain noodles containing little, if any, egg, colored artificially with tartrazine, a yellow coal-tar dye.

Adulteration of the article was alleged in the information for the reason that it had been artificially colored by having mixed and added thereto an artificial coloring matter in a manner whereby its damage and inferiority to egg noodles, the article it simulated and purported to be, was concealed; and for the further reason that a substance, to wit, plain water noodles, had been substituted wholly or in part for egg noodles, which it purported to be.

Misbranding was alleged for the reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, and for the further reason that it was composed wholly or in part of plain or water noodles containing added artificial yellow coloring matter, prepared in imitation of another article, to wit, egg noodles.

On May 23, 1921, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9879. Misbranding of Allan's compound extract of damiana. U. S. * * * v. 18 Bottles of Allan's Compound Extract Damiana. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14585. Inv. No. 24146. S. No. C-2836.)

On March 29, 1921, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 bottles of Allan's compound extract of damiana, remaining in the original unbroken packages at Brookhaven, Miss., alleging that the article had been shipped by the Allan-Pfeiffer Chemical Co., St. Louis, Mo., on or about January 1, 1920, and transported from the State of Missouri into the State of Mississippi, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle and carton) " * * * Tonic For Both Sex * * * "; (carton) " * * * Nerve And Brain Remedy. * * * For Hysteria, Dizziness, Convulsions, Nervous Prostration, * * * General Weakness * * * In Nervous Debility."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was an aqueous solution of strychnine, bitter plant principle, sugar, alcohol, and color.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effect thereof, appearing in the labels of the bottles and cartons containing the said article, were false and fraudulent in that the said article had not the curative or therapeutic effect so claimed in the said statements and contained no ingredient or combination of ingredients capable of producing such effect. Misbranding was alleged for the further reason that the article failed to bear on the label of the carton and bottle a statement of the quantity or proportion of alcohol it contained.

On May 3, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9880. Misbranding of Gold Medal compound pills. U. S. * * * v. 6 Packages * * * of Gold Medal Compound Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13681. Inv. No. 23147. S. No. C-2502.)

On or about September 16, 1920, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 packages of Gold Medal compound pills, remaining unsold in the original unbroken packages at Marion, Ill., consigned by W. J. Dean, Kansas City, Mo., alleging that the article had been shipped from Kansas City, Mo., on or about August 21, 1920, and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained iron, sulphates, aloes, and pennyroyal, in the form of a pill.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding the therapeutic and curative effect of the said article, appearing in the circulars contained in the said packages, to wit, " * * * Gold Medal Compound Pills Begin by taking one Pill before each meal * * * Four or five days before the expected appearance of the menstrual flow, drink freely * * * of hot ginger tea * * * in cases

of suppressed menstruation," were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the therapeutic and curative effects claimed.

On February 21, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9881. Adulteration and misbranding of salad mustard. U. S. * * * v. 8 Barrels of Salad Mustard. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 14022. I. S. No. 1567-t. S. No. C-2604.)

On December 13, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 barrels of salad mustard, remaining unsold at Cincinnati, Ohio, consigned by the Bayle Food Products Co., St. Louis, Mo., October 9, 1920, alleging that the article had been shipped from St. Louis, Mo., and transported from the State of Missouri into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that mustard hulls had been mixed and packed with, and substituted wholly or in part for, the said article and for the further reason that it was colored in a manner whereby damage or inferiority was concealed.

Misbranding was alleged in substance for the reason that the statements appearing on the barrel containing the article, to wit, "Salad Mustard, Mustard Seed, Vinegar, Salt, Spices and Turmeric," were false and misleading and deceived and misled the purchaser and for the further reason that the said article was an imitation of, and was offered for sale under the distinctive name of, another article.

On April 2, 1921, the Bayle Food Products Co., St. Louis, Mo., claimant, having admitted the allegations of the libel and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act, conditioned in part that the said product be relabeled in a manner satisfactory to this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9882. Misbranding of Haskin's Nervine. U. S. * * * v. 2 Dozen Bottles, et al., of Haskin's Nervine. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14479, 14500. Inv. Nos. 29315, 29317. S. Nos. E-3137, E-3154.)

On February 25 and 29, 1921, respectively, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 4 dozen bottles of Haskin's Nervine, remaining in the original unbroken packages at Wilkes-Barre and Harrisburg, Pa., respectively, alleging that the article had been shipped in part by the Haskin Medicine Co., Binghamton, N. Y., and in part by the Williams Mfg. Co., Cleveland, Ohio, on or about October 26, 1920, and January 20, 1921, respectively, and transported from the States of New York and Ohio, respectively, into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was an aqueous solution of Epsom salt, sweetened, colored, and flavored.

Misbranding of the article was alleged in the libels for the reason that the labels of the bottles containing the said article bore statements of guarantee and serial number, together with the statement, " * * * a purely vegetable compound," which were false and misleading in that the said article was not a purely vegetable compound. Misbranding was alleged in substance for the further reason that the following statements appearing in the labels of the bottles and carton containing the said article, regarding the curative and therapeutic effects thereof, to wit, (bottle) " * * * Nervine The Great Nerve Tonic and Blood Purifier. * * * For Liver Complaint, Female Weakness, Nervous Affections, Rheumatism, Kidney Trouble, Dyspepsia, Indigestion * * * Biliousness and Catarrh * * *. Nervous Diseases, Pains in the Heart and Shoulders, * * * Indigestion, Headache, Heartburn, Loss of Appetite, Dizziness, Numbness, Nausea, Fluttering of the Heart, Faintness, Rheumatism and Kidney Trouble. * * * Nervous Prostration and Female Complaints * * * It strengthens the nerves, Purifies the Blood, Tones up the System, makes New, Rich Blood, Clear Skin, and Ensures Perfect Health," (carton) " * * * Nervine. The Great Tonic, Nervine and Blood Purifier. * * * It Strengthens the Nerves, Purifies the Blood, Tones Up the System, Makes New, Rich Blood, Clear Skin, * * * The Great Nerve And Blood Tonic. * * * It acts upon the glandular system, increasing the functional activity of the body, it at once makes known its wonderful power of renovating and enriching the blood, and invigorates the whole system. As a remedy for diseases of the Stomach, Liver and Kidneys, Dyspepsia, Indigestion, Loss of Appetite, Sick Headache, Dizziness, Female Weakness, Nervous Prostration, Emaciation, General Debility, Rheumatism, Heart Trouble, Eruptions of the Skin, Pimples, Boils, Tumors, Scrofulous Affections, Cancerous Humors, Salt Rheum, Catarrh, Ringworm, Carbuncles, Ulcers and Sores, Syphilitic Affections, Malarial Poison, Pain in the Bones, or in fact any disease originating from an impure state or low condition of the blood and nerves, * * * While eradicating and expelling the germs of disease, it at the same time builds up and invigorates, giving new life and energy to the whole system," were false and fraudulent, since the said article contained no ingredients or combination thereof capable of producing the effects claimed.

On June 25, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9883. Misbranding of Nervosex tablets. U. S. * * * v. 10 Packages of Nervosex Tablets. Default decree ordering destruction of product. (F. & D. No. 14573. I. S. No. 8795-t. S. No. E-3150.)

On March 3, 1921, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 packages of Nervosex tablets, at Norfolk, Va., alleging that the article had been shipped by the United Laboratories, Inc., St. Louis, Mo., on or about July 1, 1920, and transported from the State of Missouri into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained zinc phosphid, calcium phosphate, an

iron compound, and vegetable extractives, including nux vomica, in tablet form.

Misbranding of the article was alleged in substance in the libel for the reason that the labels on the bottles containing the said article bore the following statements regarding the curative and therapeutic effects thereof, "Nervosex Tablets. A compound of Nerve and Muscle Stimulants for Low Vitality, Lack of Energy, Sexual Weakness * * *," which were false and fraudulent in that the said article did not contain any ingredients or combination of ingredients capable of producing the effects claimed.

On September 9, 1921, no claimant having appeared for the property, judgment was entered ordering the destruction of the product by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9884. Adulteration of tomato purée. U. S. * * * v. 40 Cases * * * of Tomato Purée. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14693. I. S. No. 7526-t. S. No. E-3208.)

On April 1, 1921, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 40 cases of tomato purée, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Morgan Packing Co., Austin, Ind., on or about November 27, 1920, and transported from the State of Indiana into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Alhambra Brand Tomato Puree carefully selected quality guaranteed * * *."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On July 8, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9885. Adulteration and misbranding of simple sirup. U. S. * * * v. Bump Confectionery Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 14732. I. S. No. 9304-r.)

On June 20, 1921, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Bump Confectionery Co., a corporation, Anna, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 18, 1920, from the State of Illinois into the State of Missouri, of a quantity of simple sirup which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a dilute sugar sirup containing benzoate of soda. It contained 57.6 per cent by weight, or 728.64 grams per 1,000 cc., of sucrose.

Adulteration of the article considered as a drug was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of investigation, in that the said Pharmacopœia required that in 1,000 mls of the said article there should be present 850 grams of sugar, whereas in 1,000 mls of the said article there was present a less amount

than 850 grams of sugar, to wit, 728.64 grams, and the standard of the strength, quality, and purity of the said article was not declared on the container therefor. Adulteration of the article considered as a food was alleged for the reason that a substance, to wit, water in excess of the permitted amount, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in part for "Simple Syrup," which the article purported to be. Adulteration was alleged for the further reason that a substance, benzoate of soda, which was not declared on the label, had been mixed with the said article in a manner whereby damage and inferiority were concealed. Adulteration was alleged for the further reason that the package or container of the article was not plainly labeled to show the presence and amount of benzoate of soda contained therein, whereas, in truth and in fact, the said article contained .10 per cent benzoate of soda.

Misbranding of the article considered as a drug was alleged for the reason that the statement, to wit, "Simple Syrup," borne on the barrels and cans containing the article, concerning the article and the ingredients contained therein, was false and misleading in that it represented that the said article contained a sugar content of 850 grams per 1,000 mils as required by the United States Pharmacopœia, whereas, in truth and in fact, it did not contain a sugar content of 850 grams per 1,000 mils but did contain a less amount, to wit, 728.64 grams. Misbranding was alleged for the further reason that the said article was a product labeled and sold under the name of "Simple Syrup," composed of an excess amount of water and an insufficient amount of sugar, prepared in imitation of, and offered for sale under the name of, another article, to wit, "Simple Syrup." Misbranding was alleged for the further reason that the article contained benzoate of soda, and the label on the containers of the said article bore no statement of the amount or percentage of benzoate of soda contained therein, so as to deceive and mislead the purchaser thereof into the belief that the article was of full strength and required no preservative. Misbranding of the article considered as a food was alleged for the reason that the statement, to wit, "Simple Syrup," borne on the said labels, was false and misleading in that it represented to the purchaser thereof that the said article contained the required sugar content and did not contain more than 35 per cent of water, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure "Simple Syrup" made in accordance with the requirements laid down in the United States Pharmacopœia or the requirements of the United States Department of Agriculture for the said article, whereas, in truth and in fact, the said article did not come up to either standard but did contain a sugar content less than said standards and said article did contain more than 35 per cent of water.

On August 18, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9886. Misbranding of McMullin's tonic. U. S. * * * v. 10 Large and 8 Small Bottles of * * * McMullin's Tonic, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14843, 14853. I. S. Nos. 10784-t, 10757-t. S. Nos. W-917, W-921.)

On or about May 3 and 21, 1921, the United States attorney for the District of Colorado, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 46 large and 44 small bottles of McMullin's tonic, remaining unsold in the original unbroken packages at Pueblo and Denver, Colo., respec-

tively, consigned by the Tilden McMullin Co., Sedalia, Mo., alleging that the article had been shipped from Sedalia, Mo., in part on or about January 28 and March 12, 1921, respectively, and in part on or about April 19, 1921, and transported from the State of Missouri into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained water, glycerin, iodids, phenol, and alcohol.

Misbranding of the article was alleged in substance in the libels for the reason that the bottle labels and the accompanying circular bore and contained the following statements regarding the curative and therapeutic effects of the said article, to wit, (labels, both sizes) " * * * Tonic * * * Affords great relief in cases of * * * Consumption, Asthma, Catarrh and Bronchitis," (circular, large size) " * * * Have You Tuberculosis or Asthma? If So Don't Worry * * * my health began to fail. I had a bad cough, my appetite failed, * * * I began to lose flesh rapidly. * * * my fever would go up to 103, and I had night sweats almost every night. * * * 'McMullin's Tonic' * * * has done wonders for me. All the symptoms spoken of have disappeared, * * * has saved my life from that awful and most dreaded disease, Consumption. * * * I took a cold and contracted a bad cough. * * * lost my appetite * * * had night sweats and fever, and lost in weight. * * * my lungs were affected. * * * was advised to try 'McMullin's Tonic.' I did so and got relief at once. My cough left me before I had taken the second bottle * * * I am now entirely free from all symptoms mentioned above and * * * recommend it to anyone suffering from lung trouble or Bronchial trouble or asthma. * * * it will cure any one of the dreadful symptoms herein mentioned * * * This is the first year I have missed having Hay Fever and Asthma for ten years * * * the only remedy * * * that ever did me any good. * * * a word to Asthma Sufferers, I was a victim of that awful disease * * * I couldn't lie down for two and three nights out of a week, * * * after I had taken two bottles I felt like a new man. * * * I can recommend it, to be the best Asthma medicine I have ever used. * * * Now Asthma sufferers, * * * you can be cured * * * Have You Tuberculosis, Asthma, Hay Fever or A Stubborn Cough? Do You Have Night Sweats? Are You Gradually Losing Weight And Strength? * * * It Will Bring Back Your Good Health And The Joy Of Living * * *," which statements were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On August 31, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9887. Misbranding of Zendejas treatment. U. S. * * * v. 34 Bottles of Zendejas Treatment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14867. I. S. No. 10759-t. S. No. W-922.)

On or about May 21, 1921, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 34 bottles of Zendejas treatment, remaining unsold in the original unbroken packages at Denver, Colo., consigned by Panfilio Zendejas, Los Angeles, Calif., alleging that the article had been shipped from Los Angeles, Calif., on or about April 22, 1921, and transported from the State of California

into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained drug extractives, including resins, emodin, tannin, saponin-like glucoside, potassium iodid, traces of alkaloids and mercury compounds, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the circular accompanying the said article bore and contained the following statements regarding its curative and therapeutic effects, (English) "Cleanser and Regenerator of the Blood," (English and Spanish) "* * * If you have found no relief from your ailment with other remedies do not be discouraged. Try one more—the Zendejas Treatment. * * * What causes diseases or sickness? An impure blood. Then if you remove the impurities in the blood your disease should disappear and you should then regain your health. * * * rheumatism, kidney trouble, pains in different parts of the body, catarrh, indigestion, * * * tumors, sores, pimples, and hundreds of other diseases must eventually disappear. * * * pains? Sores? * * * lame back * * * tongue coated? * * * breath smell * * * hair falling? * * * weak? * * * out of breath * * * nervous? * * * swellings? * * * cold * * * pimples * * * If you know of anyone suffering with diseases, hand him this circular. * * *," which were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On August 31, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9888. Misbranding of Prof. Dupree's French specific pills. U. S. * * * v. 12 Dozen Packages and 60 Dozen Packages of * * * Prof. Dupree's French Specific Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. No. 15034. I. S. Nos. 10817-t, 10818-t. S. No. W-968.)

On or about June 13, 1921, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 12 dozen packages and 60 dozen packages of Prof. Dupree's French specific pills, remaining unsold in the original unbroken packages at Denver, Colo., consigned by the United Drug Exchange, New York, N. Y., alleging that the article had been shipped from New York, N. Y., in part on or about October 5, 1920, and in part on or about May 10, 1921, and transported from the State of New York into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product contained aloes, iron sulphate, and a trace of alkaloids, with indications of cotton root bark and tansy.

Misbranding of the article was alleged in substance in the libels for the reason that a printed circular accompanying the article bore and contained the following statements regarding its curative and therapeutic effects, "* * * For use in the suppression of irregularities of the menses. * * * efficient in their results, * * * take one pill every two hours, alternating first the blue and then the pink, until the desired effect is produced. * * * In cases where the period is irregular, * * * commence the use of these pills, three or four

days before the expected time by taking one pill every four hours until the time arrives. * * * girls approaching the age of puberty, who have not overcome the functional derangements induced by that * * * change * * * can be given these pills with great benefit, * * * Reliable * * *," which statements were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effect claimed.

On August 29 and 31, 1921, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9889. Misbranding of pickles. U. S. * * * v. 31 Cases of Sweet Mixed Pickles, 18 Cases of Plain Sour Pickles, 16 Cases of Dill Pickles, 31 Cases of Sweet Plain Pickles, 14 Cases of Mixed Sour Pickles, and 5 Cases of Dill Pickles. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 15297, 15298, 15299, 15300. I. S. Nos. 11027-t, 11028-t, 11029-t, 11030-t, 11031-t. Inv. No. 34911. S. Nos. W-1000, W-1002.)

On August 2, 1921, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 31 cases of sweet mixed pickles, 18 cases of plain sour pickles, 21 cases of dill pickles, 31 cases of sweet plain pickles, and 14 cases of mixed sour pickles, remaining in the original unbroken packages at San Francisco, Calif., consigned by the Seattle & Puget Sound Packing Co., Seattle, Wash., alleging that the articles had been shipped from Seattle, Wash., on the respective dates, August 3 and September 17, 1920, and January 20, 1921, and transported from the State of Washington into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the articles was alleged in substance in the libel for the reason that they were labeled in part "12 ozs.," which statement was false and misleading and deceived and misled the purchaser, since the contents were short of the declared volume. Misbranding was alleged for the further reason that the said articles were food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages in terms of weight or measure, since the amount declared was not correct.

On August 30, 1921, Walter C. Zinn, San Francisco, Calif., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$600, in conformity with section 10 of the act, conditioned in part that the mixed sour pickles be relabeled, "Weight Drained Contents 6½ oz.," and the rest, "Weight Drained Contents 7¼ oz."

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9890. Misbranding of "G Zit" Complete-Stearns'. U. S. * * * v. 24 Packages * * * of * * * "G Zit" Complete-Stearns', et al. Product destroyed by mistake. Consent decree of condemnation and forfeiture entered. (F. & D. Nos. 10567, 10576. I. S. Nos. 2032-r, 2033-r. S. Nos. W-403, W-423.)

On June 12 and 18, 1919, respectively, the United States attorney for the Western District of Washington, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 79 packages, \$3 size, 4 packages, \$6 size, and 15 packages, \$11 size, of "G Zit" Complete-Stearns', at Tacoma, Wash., alleg-

ing that the article had been shipped by Stearns-Hollinshead Co., Portland, Oreg., on the respective dates April 1 and October 17, 1918, and May 1, 1919, and transported from the State of Oregon into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of two preparations, bougies and antiseptics. The bougies consisted of silver nucleinate in a cacao butter base and the antiseptics consisted of copaiba, cubeba, and a sulphureted fixed oil.

Misbranding of the article was alleged in substance in the libels for the reason that certain statements appearing on the cartons containing the said article and in the accompanying circulars and booklets falsely and fraudulently represented it as effective for gonorrhea and as an antiseptic to act on all germ life that might be lodged in the bladder; as effective to enable gonorrheal patients to cure themselves; as effective to prevent sexual diseases from spreading from the afflicted; as effective to destroy the germ of gonorrhea; that when used by gonorrheal patients it would be effective to prevent chronic prostatitis and seminal vesiculitis and to enable one to avoid stricture; and that there would be less chance for complicated lasting disease when the said article was used, when, in truth and in fact, it contained no ingredient or combination of ingredients capable of producing the effects claimed in said cartons, circulars, and booklets.

On October 4, 1921, the property having been previously destroyed by the United States marshal through inadvertence and mistake, the Stearns-Hollinshead Co., Portland, Oreg., having filed its claim and answer denying the material allegations of the libels, and the said claimant having consented to the entry of a decree on account of the said destruction and subsequent reimbursement by the United States marshal, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the destruction of the product be confirmed and ratified.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9891. Misbranding of Dr. Burkhart's vegetable compound. U. S. * * * v. 12 Dozen Small and 2 Dozen Medium Cartons * * * of Dr. Burkhart's Vegetable Compound. Decree of condemnation and forfeiture providing for release of product under bond. (F. & D. No. 13096. I. S. No. 10052-t. S. No. W-636.)

On July 24, 1920, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 dozen small and 2 dozen medium sized cartons of Dr. Burkhart's vegetable compound, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Williams Mfg. Co., Chicago, Ill., July 6, 1920, and transported from the State of Illinois into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained plant extractives, including aloes, resins, and a small amount of capsicum, in pill form.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing on the cartons containing the said article, regarding its curative and therapeutic effects, to wit, " * * * Recommended for Kidney and Liver Disease, Fever and Ague, Rheumatism, Sick and Nervous Headache, Erysipelas, Scrofula, Female Complaints, Catarrh, Indigestion, Neuralgia, Nervous Affection, Dyspepsia, * * * and all Syphilitic

Diseases," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed.

On August 26, 1921, the Williams Mfg. Co., Chicago, Ill., having entered an appearance as claimant for the property, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act, conditioned in part that the said product be relabeled in a manner satisfactory to this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9892. Adulteration of canned loganberries. U. S. * * * v. 150 Cases of Canned Loganberries * * *. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14143. I. S. No. 10415-t. S. No. W-818.)

On January 6, 1921, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said District a libel for the seizure and condemnation of 150 cases of canned loganberries, labeled in part "Calla Brand Loganberries," remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Puyallup & Sumner Fruit Growers Canning Co., Sumner, Wash., on or about August 9, 1920, and transported from the State of Washington into the State of California, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On August 26, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9893. Adulteration of canned raspberries. U. S. * * * v. 50 Cases of Canned Raspberries * * *. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14267. I. S. No. 10582-t. S. No. W-846.)

On January 27, 1921, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of canned raspberries, consigned by the Olympia Canning Co., Olympia, Wash., remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped from Olympia, Wash., on or about November 23, 1920, and transported from the State of Washington into the State of California, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Thurston Brand Red Raspberries * * * Packed by Olympia Canning Co., Olympia, Washington."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On August 26, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9894. Misbranding of Apollo Brand sexual pills. U. S. * * * v. 11 Dozen Boxes of * * * Apollo Brand Sexual Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14859. I. S. No. 10758-t. S. No. W-923.)

On May 19, 1921, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11 dozen boxes of Apollo Brand sexual pills, remaining unsold in the original unbroken packages at Denver, Colo., consigned by the S. Pfeiffer Mfg. Co., St. Louis, Mo., alleging that the article had been shipped from St. Louis, Mo., on or about November 12, 1920, and transported from the State of Missouri into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained extracts of nux vomica and damiana and phosphorus, in the form of a pill.

Misbranding of the article was alleged in substance in the libel for the reason that the bottle containing the said article and the accompanying wrapper bore a statement regarding the curative and therapeutic effects of the said article, to wit, "Sexual Pills," which was false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effect claimed.

On August 31, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9895. Adulteration and misbranding of flour. U. S. * * * v. Two Hundred and Ninety-four 140-Pound Jutes * * * of Kramer's Kream Standard Patent Hard Winter Wheat Flour. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 14864. I. S. No. 7881-t. S. No. E-3355.)

On May 12, 1921, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of two hundred and ninety-four 140-pound jutes, more or less, of Kramer's Kream standard patent hard winter wheat flour, remaining in the original unbroken packages at Norristown, Pa., consigned by the Topeka Flour Mill, Topeka, Kans., alleging that the article had been shipped from Topeka, Kans., on or about April 11, 1921, and transported from the State of Kansas into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that excessive moisture had been mixed and packed with, and substituted wholly or in part for, flour, which the article purported to be.

Misbranding was alleged in substance for the reason that the statement on the tag attached to the sacks containing the said article, to wit, "Flour," was false and misleading and deceived and misled the purchaser; for the further reason that the said article was in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package; and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On June 21, 1921, Lewis G. Stritzinger, Norristown, Pa., claimant, having filed an answer admitting the averments of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product

be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$4,800, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9896. Adulteration of walnut meats. U. S. * * * v. 16 Cases of Walnut Meats. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 14976. I. S. No. 10816-t. S. No. W-959.)

On June 7, 1921, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 16 cases of walnut meats, remaining unsold in the original unbroken packages at Denver, Colo., consigned by the Kohn Boldemann Co., San Francisco, Calif., alleging that the article had been shipped from San Francisco, Calif., on or about May 7, 1921, and transported from the State of California into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On September 9, 1921, the W. C. Nevin Candy Co., Denver, Colo., claimant, having admitted the allegations of the libel and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$300, in conformity with section 10 of the act. The claimant was unable to sort the nuts satisfactorily, and they were destroyed.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9897. Misbranding of Lung Germine. U. S. * * * v. 11 Bottles, 10 Bottles, and 3 Bottles of Lung Germine. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 15213, 15214, 15215. Inv. Nos. 31530, 31531, 31532. S. No. E-3464.)

On July 20, 1921, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 11 bottles, 10 bottles, and 3 bottles of Lung Germine, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Lung Germine Co., Jackson, Mich., alleging that the article had been shipped on or about October 18, 1920, and November 29 and January 14, 1921, respectively, and transported from the State of Michigan into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained sulphuric acid, iron sulphate, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements regarding the curative or therapeutic effects of the said article, contained in the labeling of the bottle and carton and in the accompanying booklet, to wit, (bottle) " * * * Treatment For Relief of Defective Nutrition and for Increasing Strength and General Health where Mucous Membranes are Susceptible to Lung Disease and Pulmonary Disorganization with Bronchial Irritation. (In Pre-tubercular Stages) * * * Use no other lung medicine while using Lung Germine. Read carefully the circular

accompanying this bottle * * *,” (carton) “* * * Use no other lung medicine when using Lung Germine. Read carefully the circular accompanying this bottle. * * * Your Lungs. Are They Weak Or Painful? Do your lungs ever bleed? Do you have night sweats? Are you short of breath? Have you pains in chest and sides? Do you spit yellow and black matter? Do you have pains under your shoulder blades? These Are Regarded Symptoms of Lung Trouble. Do Not Neglect These Symptoms. Keep Lung Germine in your home ready for immediate use at the first sign of Membraneous Lung Disease or Bronchial Irritation. * * * Treatment For Relief Of Defective Nutrition and for Increasing Strength and General Health where Mucous Membranes are Susceptible to Lung Diseases and Pulmonary Disorganization with Bronchial Irritation (In Pre-tubercular Stages) * * *,” (booklet, “Your Lungs,” in English) “* * * What You Want To Know About Lung Germine. As a sufferer from mucous membrane affections of the lungs and bronchial irritation, readily susceptible to the primary or pre-tubercular stage of pulmonary consumption, you are deeply interested in learning all that you can about any medicine or treatment for relieving these distressing afflictions. In the following paragraphs will be found a brief description of what Lung Germine is, what it has done for others, how it is used, and what you may reasonably hope it may do for you. In recommending Lung Germine to the world of sufferers from incipient mucous membrane affection of the lungs, and bronchial irritation, we do so with the fullest confidence. * * * the remarkable results it has accomplished * * * excessive coughs for months * * * splendid results * * * weak membranes of lungs and * * * nearly always suffering from a severe cough and weakness. * * * Lung Germine relieved the trouble. * * * before taking Lung Germine their lungs had been * * * affected, and that after using Lung Germine * * * their lungs were * * * found to be relieved. * * * recommend for lung and bronchial troubles, * * * We recommend Lung Germine for alleviating the cough, increasing the strength and general health in such-conditions of cellular hyperblasia, affecting the mucous membranes of the air passages with the consequent risk of a multiplication of cells, filling up a greater or less number of the air vesicles of the lungs; generally those of the apex, and then, consumption, or malignant attacks of the lungs and bronchial tract results. * * * It is, therefore, of vital importance that sufferers take the treatment Lung Germine, which has a decided influence upon the general condition of the system, alleviating the cough and night sweats, aiding expectoration, increasing the strength and general health of the sufferer, and often retarding, if not arresting, the pulmonary disorganization. Lung Germine contains * * * only such ingredients as are of recognized therapeutic value for the treatment of the conditions as outlined. One of the ingredients * * * is recognized * * * as a nutrient of inestimable influence during phthisis, * * * “* * * it does more good than all other remedies of the Pharmacopœia (Standard authority for medicines) combined.” * * * Lung Germine has been proven beyond question to possess a remarkable beneficial influence; it has produced splendid results * * * relieving defective nutrition, with its consequent pallor, anemia, night sweats, excessive coughing and expectoration of germ-laden mucous from the affected parts. * * * the coughing will become less and less and a general improvement may be confidently expected. * * * the long record of extraordinary instances of relief which Lung Germine has produced should encourage every sufferer from incipient membraneous lung disease * * * no such sufferer should feel in the least discouraged about his or her condition, if Lung Germine has yet to be tried. * * * If you are suffering

from lung * * * trouble which has not passed the incipient stage, * * * you are using the best medicine known for such afflictions when you use Lung Germine. * * * consumption * * * What To Do For Hemorrhage * * * bleeding from the lung, * * * What To Do For Persistent Night Sweats. Night sweats are a commonly recognized symptom of tuberculosis * * * Consumption * * * tuberculosis * * * tubercle bacilli * * * germs of tuberculosis * * *," (other languages) " * * * Lung Germine for chronic lung * * * affections * * * Lung Germine for chronic lung or bronchial diseases * * *," were false and fraudulent in that the said article would not produce the curative or therapeutic effects which purchasers were led to expect from the said statements, which were applied to the said article with a knowledge of their falsity for the purpose of defrauding purchasers thereof. Misbranding was alleged in substance for the further reason that the bottle and carton labels contained the statement, "Alcohol 10% by Volume," regarding the said article and the ingredients and substances contained therein, which was false and misleading in that the said statement indicated to the purchaser that the package contained alcohol 10 per cent by volume, when in fact it did not.

On August 16, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9898. Misbranding of oil. U. S. * * * v. 13 Cans * * * of La Provence Brand Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15237. I. S. No. 8079-t. S. No. E-3471.)

On July 23, 1921, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 13 cans of La Provence Brand vegetable oil, consigned by the Littauer Oil Co., Guttenberg, N. J., remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped from Guttenberg, N. J., on or about June 10, 1921, and transported from the State of New Jersey into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Can) "La Provence Brand Oil * * * Littauer Oil Co. Guttenberg, N. J. One Gallon."

Misbranding of the article was alleged in substance in the libel for the reason that the statement on the label "One Gallon" was false and misleading and deceived and misled the purchaser and for the further reason that the said article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 22, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9899. Misbranding of Pierce's Empress Brand tansy, cotton root, pennyroyal, and apiol tablets. U. S. * * * v. 9 Dozen Packages of Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal, and Apiol Tablets. Default decree ordering destruction of the product. (F. & D. No. 15292. Inv. No. 32979. S. No. E-3485.)

On or about August 2, 1921, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 dozen packages of Pierce's Empress Brand tansy, cotton

root, pennyroyal, and apiol tablets, remaining unsold in the original packages at Norfolk, Va., alleging that the article had been shipped by Robert J. Pierce, New York, N. Y., on or about October 12, 1920, and transported from the State of New York into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained pennyroyal, aloes, and ferrous sulphate, in tablet form.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding the curative and therapeutic effects thereof, (box) " * * * Tansy, Cotton Root, Pennyroyal and Apiol Tablets. A Safe Emmenagogue, Always Reliable And Effective, The Best Known Remedy For The Suppression Of The Menstrual Function," were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 9, 1921, no claimant having appeared for the property, judgment of the court was entered ordering the destruction of the product by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9900. Adulteration of canned salmon. U. S. * * * v. 4,993 Cases of Canned Salmon * * *. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 14121. I. S. No. 10526-t. S. No. W-828.)

On December 24, 1920, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4,993 cases of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the King Salmon Fisheries Co., from Unakwik, Alaska, August 8, 1920, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed animal substance.

On August 2, 1921, the King Salmon Fisheries Co., Seattle, Wash., claimant, having admitted the allegations of the libel and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act, conditioned in part that the said product be used for fertilizer and not for human consumption.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

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Specific pills. <i>See</i> Pills.		Zendejas treatment:	
Stearns' G Zit Complete:		Zendejas, Panfilio.-----	9887
Stearns-Hollinshead Co.---	9890		

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United States Department of Agriculture,

BUREAU OF CHEMISTRY.

W. G. CAMPBELL, Acting Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 9901—9950.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., February 27, 1922.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

9901. Misbranding of tankage. U. S. * * * v. Standard By-Products Co., Inc., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 14753. I. S. No. 11558-t.)

On June 7, 1921, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Standard By-Products Co., Inc., a corporation, Louisville, Ky., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 8, 1920, from the State of Kentucky into the State of Indiana, of a quantity of tankage which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 55.4 per cent of protein.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis Protein 60% * * *," borne on the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that the said statement represented that the article contained not less than 60 per cent of protein, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 60 per cent of protein, whereas, in truth and in fact, it contained less than 60 per cent of protein, to wit, approximately 55.4 per cent.

On June 18, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9902. Adulteration of canned beans. U. S. * * * v. 301 Cases * * * of Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14800. I. S. Nos. 4189-t, 4914-t. S. No. C-2974.)

On April 16, 1921, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the Dis-

trict Court of the United States for said district a libel for the seizure and condemnation of 301 cases, more or less, of canned beans, at Chicago, Ill., alleging that the article had been shipped by the Plainwell Canning & Preserving Co., Plainwell, Mich., March 29, 1919, and transported from the State of Michigan into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy vegetable substance, for the further reason that it consisted in part of a decomposed vegetable substance, and for the further reason that it consisted in part of a putrid vegetable substance.

On June 16, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9903. Misbranding of Pratts cow remedy. U. S. * * * v. 11 Packages * * * of Pratts Cow Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14805. Inv. No. 29459. S. No. E-3327.)

On April 21, 1921, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11 packages of Pratts cow remedy, remaining unsold in the original unbroken packages at Salamanca, N. Y., consigned by the Pratt Food Co., Philadelphia, Pa., alleging that the article had been shipped from Philadelphia, Pa., on or about March 18, 1921, and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of salt, soda, Epsom salt, iron oxid, fenugreek, ginger, nux vomica, and gentian.

Misbranding of the article was alleged in substance in the libel for the reason that the labels of the packages containing the said article bore certain statements, to wit, "*** * * For Barrenness * * * For Calves: For preventing or treating scours, * * * For Accidental Or Non-Contagious Abortion * * * Contagious Abortion * * * Retained Afterbirth * * * Pratts Cow Remedy is a tested compound to aid in the prevention and treatment of abortion (slinking of calves), barrenness (failure to breed), retained afterbirth * * ***", which were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effect claimed.

On June 2, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9904. Adulteration and misbranding of vinegar. U. S. * * * v. 21 Cases * * * of Alleged Pure Cider Vinegar. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14877. I. S. No. 5476-t. S. No. E-3322.)

On April 18, 1921, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemna-

tion of 21 cases, more or less, of alleged pure cider vinegar, consigned on or about July 12, 1920, remaining in the original unbroken packages at Worcester, Mass., alleging that the article had been shipped by the Naas Cider & Vinegar Co., Cohocton, N. Y., and transported from the State of New York into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, distilled vinegar, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted wholly or in part for cider vinegar, which the article purported to be. Adulteration was alleged for the further reason that distilled vinegar had been mixed with the said article in a manner whereby its damage and inferiority were concealed.

Misbranding was alleged for the reason that certain statements on the labels of the bottles containing the article, regarding the article and the ingredients contained therein, to wit, "Steuben Brand * * * Cider Vinegar * * * Made From Apples * * * Net Contents One Pint," together with a pictorial representation of an apple, were false and misleading in that they represented to the purchaser that the article was pure cider vinegar, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said article was pure cider vinegar, made from apples, whereas, in truth and in fact, it was not pure cider vinegar but was a product containing distilled vinegar. Misbranding was alleged for the further reason that the article was a product composed in part of distilled vinegar, prepared in imitation of, and offered for sale under the distinctive name of, another article, to wit, cider vinegar, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was not correct.

On July 12, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9905. Adulteration of canned corn. U. S. * * * v. 13 Cases * * * of Canned Corn. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15010. I. S. No. 8743-t. S. No. E-3373.)

On June 6, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 13 cases, more or less, of canned corn, remaining in the original unbroken packages at Washington, D. C., alleging that the article was being offered for sale in the District of Columbia, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, (can) "Garden of Eden Sugar Corn * * *."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of filthy, decomposed, and putrid vegetable substances.

On October 3, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9906. Misbranding of Prof. Dupree's French specific pills. U. S. * * * v. 36 Dozen Packages * * * of Prof. Dupree's French Specific Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15015. Inv. No. 32800. S. No. E-3404.)

On July 1, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 36 dozen packages, more or less, of Prof. Dupree's French specific pills, at Washington, D. C., alleging that the article was being offered for sale in the District of Columbia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills contained iron sulphate, aloes, and ground plant material.

Misbranding of the article was alleged in substance in the libel for the reason that the packages containing the said article were accompanied by a circular containing the following statements regarding the curative and therapeutic effects thereof, " * * * For use in the suppression of irregularities of the menses. * * * efficient in their results * * * girls approaching the age of puberty, who have not overcome the functional derangements induced by that * * * change * * * can be given these pills with great benefit, * * * Reliable * * *," which statements were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the said article so as to represent falsely and fraudulently, and to create in the minds of purchasers thereof the impression and belief, that the said article possessed the curative and therapeutic qualities claimed for it, whereas, in truth and in fact, it did not.

On October 3, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9907. Misbranding of mackerel. U. S. * * * v. 24 Pails * * * of Fat Irish Mackerel. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15018. I. S. No. 8750-t. S. No. E-3405.)

On July 7, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 24 pails of fat Irish mackerel, remaining unsold in the original unbroken packages at Washington, D. C., alleging that the article had been shipped by Leonard A. Treat, Boston, Mass., on or about May 26, 1921, and transported from the State of Massachusetts into the District of Columbia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel for the reason that the statement, to wit, "This Package Contains 20 Lbs. Fat Irish 7-8 Oz. Mackerel," borne on the pails containing the said article, regarding the quantity of the mackerel contained therein and the average size of each of the said mackerel, was false and misleading, and for the further reason that the statement aforesaid was borne and labeled on the said pails so as to deceive and mislead the purchaser into the belief that the said pails each contained 20 pounds net of fat Irish mackerel and that each of the said mackerel averaged between 7 and 8 ounces in weight, whereas, in truth and in fact, the said pails each contained less than 20 pounds of the said article, to wit, approximately $4\frac{1}{2}$ pounds less and the said mackerel averaged less than 7 ounces each. Misbranding

was alleged for the further reason that the said article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated, to wit, "This Package Contains 20 Lbs. Fat Irish 7-8 Oz. Mackerel," was more than the actual contents of the said package.

On October 3, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9908. Misbranding of Montauk Star Brand pills. U. S. * * * v. 322 Packages, More or Less, of Montauk Star Brand Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15143. Inv. No. 32799. S. No. E-3436.)

On or about July 20, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 322 packages, more or less, of Montauk Star Brand pills, at Washington, D. C., alleging that the article was being offered for sale in the District of Columbia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills contained iron sulphate, aloes, and a trace of strychnine.

Misbranding of the article was alleged in substance in the libel for the reason that the boxes containing the article and the accompanying circular contained the following statements regarding the curative and therapeutic effects thereof, (box) " * * * Female Pills * * *," (circular) " * * * For use in the suppression of irregularities of the menses * * * efficient in their results * * * where the period is irregular, * * * commence the use of these pills three or four days before the expected time, * * * Young girls approaching the age of puberty, or who have not overcome the functional derangements induced by that momentous change in their life, can be given these pills with great benefit, restoring elasticity to the step, brightness to the eye and cheerfulness to the disposition * * *," which statements were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed and in that the said statements were applied thereto so as to represent falsely and fraudulently and to create in the minds of purchasers thereof the impression and belief that the said article possessed the curative and therapeutic effects claimed, whereas, in truth and in fact, it did not.

On October 3, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9909. Adulteration of dried shrimp. U. S. * * * v. 19 Barrels and 7 Barrels of * * * Sun Dried Shrimp. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 15366. I. S. Nos. 11034-t, 11035-t. S. No. W-1013.)

On September 8, 1921, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 19 barrels and 7 barrels of sun dried shrimp, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the American Factors, Limited, from Honolulu, T.

H., in part August 17, 1921, and in part August 24, 1921, and transported from the Territory of Hawaii into the State of California, and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled in part, (barrel) "Lobster Brand Sun Dried Shrimp * * * ." The remainder was labeled in part, (barrel) "Baby Brand Sun Dried Shrimp * * * ."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, putrid, and decomposed animal substance.

On October 1, 1921, the American Factors, Limited, San Francisco, Calif., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,500, in conformity with section 10 of the act, conditioned in part that the said product be sorted under the supervision of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9910. Adulteration of shrimp. U. S. * * * v. 193 Cases of Adulterated Shrimp. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 14599. I. S. Nos. 10598-t, 10654-t. S. No. W-902.)

On April 5, 1921, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 193 cases of adulterated shrimp, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by Ariss, Campbell & Gault, Seattle, Wash., August 2, 1919, and transported from the State of Washington into the State of Oregon, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, (can) "Red Ribbon Brand Shrimp * * * Contents four ounces."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, putrid, or decomposed animal substance.

On July 13, 1921, a stipulation having been entered into between the consignee, the consignor, and the United States to the effect that the product might be destroyed, and the court having found that the product was adulterated as alleged in the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9911. Adulteration of dried apples. U. S. * * * v. 380 Boxes of * * * Dried Apples. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 14816. I. S. No. 10659-t. S. No. W-914.)

On April 20, 1921, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 380 boxes of dried apples, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Blalock Fruit & Produce Co., from Finche, Wash., July 3, 1920, and transported from the State of Washington into the State of Oregon, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy and decomposed vegetable substance.

On May 27, 1921, a stipulation having been entered into between the consignee, the consignor, and the United States to the effect that the product might be destroyed, and the court having found that the material allegations of the libel were true, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the said product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9912. Adulteration of Creole dinner. U. S. * * * v. 116 Cases * * * of * * * Creole Dinner. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14824. I. S. No. 4763-t. S. No. C-2994.)

On April 22, 1921, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 116 cases of Creole dinner, at Houston, Tex., alleging that the article had been shipped by McIlhenney Co., New Iberia, La., on or about September 6, 1920, and transported from the State of Louisiana into the State of Texas, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, or putrid vegetable substance.

On June 30, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9913. Misbranding of "Oculum Oil." U. S. * * * v. 8 Bottles * * * and 12 Bottles * * * of "Oculum Oil" * * *. Default decree of condemnation, forfeiture, and destruction. F. & D. No. 14832. Inv. No. 25902. S. No. E-3337.)

On April 23, 1921, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 bottles, \$1.50 size, and 12 bottles, \$1 size, more or less, of "Oculum Oil," remaining in the original unbroken packages at Hagerstown, Md., consigned November 19 and December 20, 1920, respectively, alleging that the article had been shipped by the H. I. Co., Inc., Salem, Va., and transported from the State of Virginia into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of turpentine oil, colored with a red-dish-yellow dye and containing a small amount of crude amber oil.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding the curative and therapeutic effect thereof, (bottle label) "*** * * Destroys Disease Germs In Animals Remedy And Preventive For Hog Cholera * * * When Animal Is Sick. * * * Treble the dose, * * ***" were false and fraudulent, since the said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On May 27, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9914. Adulteration and misbranding of prepared mustard. U. S. * * * v. 12 Cases * * * of Prepared Mustard. Decree of condemnation, forfeiture, and destruction. (F. & D. No. 14857. I. S. No. 3382-t. S. No. C-3053.)

On May 10, 1921, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 cases, more or less, of prepared mustard, remaining in the original unbroken packages at Omaha, Nebr., alleging that the article had been shipped by the Bayle Food Products Co., St. Louis, Mo., on or about September 29, 1920, and transported from the State of Missouri into the State of Nebraska, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Tumblers) "Ak-Sar-Ben Brand Old English Style Prepared Mustard * * * Springer Products Co. Omaha."

Adulteration of the article was alleged in the libel for the reason that mustard hulls had been mixed and packed with, and substituted wholly or in part for, the said article, and for the further reason that it was mixed and colored in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the statements on the label, "Prepared Mustard * * * Mustard Seed, Vinegar, Salt & Spices Colored and flavored with Turmeric," which statements did not include "Mustard Hulls," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reasons that the article was an imitation of, and was offered for sale under the distinctive name of, another article and that the statement on the label of the name of the manufacturer and place where manufactured was not correct.

On June 21, 1921, the case having come on for final disposition and the court having found the product to be adulterated and misbranded as alleged in the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, Acting Secretary of Agriculture.

9915. Adulteration and misbranding of grape juice. U. S. * * * v. 9 Cases of * * * Concord Grape Juice. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14896. I. S. Nos. 10646-t, 10647-t. S. No. W-915.)

On May 20, 1921, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 cases of Uva Brand Concord grape juice, remaining unsold in the original unbroken packages at Spokane, Wash., consigned by the Uva Grape Products Co., Fresno, Calif., alleging that the article had been shipped on or about March 24, 1920, and transported from the State of California into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "California Concord Grape Juice Net Contents 24 Oz. Unfermented Uva Brand Distributors Uva Grape Products Co. Fresno, California. Manufactured by G. Maselli, Fresno, California."

Adulteration of the article was alleged in substance in the libel for the reason that a grape juice containing artificial flavor and added phosphoric acid had been substituted wholly or in part for Concord grape juice.

Misbranding was alleged in substance for the reason that the labeling on the said bottles, "Concord Grape Juice," and the design of clusters and leaves of grapes were false and misleading and deceived and misled the purchaser, and for

the further reason that the contents of the said bottles were offered for sale under the name of another article. Misbranding was alleged for the further reason that the said article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the said statement was not made in terms of measure as required by regulation of this department.

On June 30, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9916. Misbranding of middlings. U. S. * * * v. Dallas W. Dietrich, Elmer W. Dietrich, and Harry D. Dietrich (D. W. Dietrich & Co.). Pleas of nolo contendere. Fine, \$25. (F. & D. No. 14899. I. S. No. 16725-r.)

On June 13, 1921, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Dallas W. Dietrich, Elmer W. Dietrich, and Harry D. Dietrich, co-partners, trading as D. W. Dietrich & Co., Leesport, Pa., alleging shipment by said defendants, under the name of Schuylkill Flour Mills, on or about February 14, 1920, in violation of the Food and Drugs Act, as amended, from the State of Pennsylvania into the State of Maryland, of a quantity of an article invoiced as middlings, which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 13, 1921, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9917. Adulteration and misbranding of olive oil. U. S. * * * v. 19 Cans * * *, 7 Cans * * *, and 34 Cans * * * of Pure Olive Oil, So Called. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 15007. I. S. Nos. 6412-t, 6413-t, 6414-t. S. No. E-3368.)

On June 2, 1921, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 19 cans, $\frac{1}{2}$ gallon size, 7 cans, 1 gallon size, and 34 cans, 1 quart size, of pure olive oil, so called, remaining in the original unbroken packages at Elizabeth, N. J., alleging that the article had been shipped by Yohalem & Diamond, importers and packers, New York, N. Y., on or about April 21, 1921, and transported from the State of New York into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for pure olive oil, which the said article purported to be. Adulteration was alleged for the further reason that cottonseed oil had been mixed with the said article in a manner whereby its damage and inferiority to pure olive oil were concealed.

Misbranding was alleged in substance for the reason that the statements, to wit, " * * * Pure Olive Oil * * * Olio Puro D'Oliva * * *

Questo Olio d'Oлива e'garantito assolutamente puro sotto analisi chimica. * * * This Olive Oil is guaranteed to be absolutely pure under chemical analysis," appearing on the half-gallon cans containing the said article, and "Pure Olive Oil * * * Extra Olio Puro d'Oлива * * * Marca Stella * * * Non Plus Ultra Olio Sopraffino Puro D'Oлива Garantito sotto qualunque Analisi Chimica * * *," appearing on the gallon and quart cans containing the said article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented the said article to be pure olive oil, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said cans contained pure olive oil, whereas, in truth and in fact, the article contained in the said cans was not pure olive oil, but was composed in part of cottonseed oil.

On July 1, 1921, Yohalem & Diamond, New York, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the said product be not shipped or sold unless rebranded and properly marked.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9918. Adulteration and misbranding of egg noodles. U. S. * * * v. 4 Boxes * * * and 18 Boxes * * * of Egg Noodles, So Called. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15008. I. S. Nos. 8738-t, 8739-t. S. No. E-3367.)

On May 28, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 4 boxes, each containing 24 six-ounce packages, and 18 boxes, each containing 48 three-ounce packages, of egg noodles, remaining in the original unbroken packages at Washington, D. C., alleging that the article was being offered for sale in the District of Columbia, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, plain noodles containing little or no egg solids, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for egg noodles, which the said article purported to be. Adulteration was alleged for the further reason that a substance, to wit, plain noodles containing little, if any, egg solids, had been prepared and mixed with the said article in a way whereby its inferiority to egg noodles was concealed.

Misbranding was alleged for the reason that the cartons containing the said article were labeled as to the article and the ingredients contained therein as follows, "Kerr's * * * Home Made Style Medium Egg Noodles * * * Guaranteed Pure And Free From Artificial Coloring * * * Kerr's Egg Noodles," which statements were false and misleading in that they represented the said article to be genuine egg noodles requiring no coloring other than that which the necessary egg solids which it purported to contain would give the same, and for the further reason that the statement, to wit, "Guaranteed Pure And Free From Artificial Coloring," borne on the said cartons, was misleading in that it represented the said article to be colored naturally by egg yolk, therefore requiring and containing no artificial coloring. Misbranding was alleged for the further reason that the article was labeled as afore-

said so as to deceive and mislead the purchaser into the belief that it was egg noodles, whereas, in truth and in fact, it was not egg noodles but was a product composed of plain noodles, containing little, if any, egg solids and containing an insufficient amount of egg solids, if any. Misbranding was alleged for the further reason that the article was a product composed practically wholly of plain noodles prepared in imitation of, and offered for sale under the distinctive name of, another article, to wit, egg noodles.

On October 3, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9919. Misbranding of Princess Brand pennyroyal, tansy, and cotton root bark compound pills. U. S. * * * v. 3,693 Packages, More or Less, of Princess Brand Pennyroyal, Tansy, and Cotton Root Bark Compound Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15020. Inv. No. 32798. S. No. E-3411.)

On July 7, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a district court, a libel for the seizure and condemnation of 3,693 packages, more or less, of Princess Brand pennyroyal, tansy, and cotton root bark compound pills, at Washington, D. C., alleging that the article was being offered for sale in the District of Columbia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills contained aloes.

Misbranding of the article was alleged in substance in the libel for the reason that the labels on the boxes containing the said article and the circulars accompanying the same bore the following statements regarding the curative and therapeutic effects thereof, (box) “* * * A Safe Reliable, Powerful, Yet Harmless Emmenagogue * * *,” (circular) “* * * For use in the suppression of irregularities of the menses. These pills are efficient in their results, * * * In cases when the period is irregular, it is best to commence the use of these pills three or four days before the expected time by taking one pill every four hours until the time arrives. Young girls approaching the time of puberty, or who have not overcome the functional derangements induced by that momentous change in their life can be given these pills with great benefit restoring elasticity to the step, brightness to the eye, and cheerfulness to the disposition. Reliable, * * *,” which statements were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed and in that they were applied to the said article so as to represent falsely and fraudulently, and to create in the minds of purchasers thereof the impression and belief, that it possessed the curative and therapeutic qualities claimed for it, whereas, in truth and in fact, it did not.

On October 3, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9920. Misbranding of cottonseed meal. U. S. * * * v. Humphreys-Godwin Co., a Corporation. Plea of nolo contendere. Fine, \$25 and costs. (F. & D. No. 7651. I. S. Nos. 19091-1, 19093-1.)

On November 6, 1916, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district an information against the Humphreys-Godwin Co., a corporation, trading at Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 19 and 20, 1915, respectively, from the State of Tennessee into the State of Indiana, of quantities of cottonseed meal which was misbranded.

Analysis of a sample of the article from each of the consignments by the Bureau of Chemistry of this department showed that it contained 37.69 per cent and 36.69 per cent, respectively, of protein.

Misbranding of the article was alleged in the information for the reason that the following statement regarding the article and the ingredients and substances contained therein, appearing on the labels of the sacks containing the said article, to wit, " * * * Humphreys, Godwin Company, of Memphis, Tenn., Guarantees this Dixie Brand Cottonseed Meal to contain not less than * * * 41.0 per cent of crude protein * * *," was false and misleading in that the said statement indicated to purchasers thereof that the said article contained not less than 41 per cent of crude protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that the said article contained not less than 41 per cent of crude protein, when, in truth and in fact, the article involved in the said consignments did contain less than 41 per cent of crude protein, to wit, 37.69 per cent and 36.69 per cent, respectively, of protein.

On October 5, 1921, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9921. Misbranding of cottonseed meal. U. S. * * * v. Humphreys-Godwin Co., and Union Seed & Fertilizer Co., Corporations. Plea of nolo contendere by Humphreys-Godwin Co. Fine, \$25 and costs. Plea of guilty by Union Seed & Fertilizer Co. Fine, \$100 and costs. (F. & D. No. 8135. I. S. Nos. 9170-1, 9174-1.)

On April 5, 1917, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Humphreys-Godwin Co. and the Union Seed & Fertilizer Co., corporations, trading at Memphis, Tenn., alleging shipment by the former company, through its agent, the Union Seed & Fertilizer Co., in violation of the Food and Drugs Act, on or about November 8 and December 3, 1915, respectively, from the State of Tennessee into the State of Maine, of quantities of cottonseed meal which was misbranded.

Analysis of a sample of the article from each consignment by the Bureau of Chemistry of this department showed that it contained 35.15 per cent and 36.56 per cent, respectively, of protein and 13.93 per cent and 12.87 per cent, respectively, of crude fiber.

Misbranding of the article was alleged in the information for the reason that the statements appearing on the labels of the sacks containing the said article, regarding the article and the ingredients and substances contained therein, to wit, " * * * Guaranteed Analysis. * * * Protein 38.62 to 43% * * * Crude Fibre 8 to 12%," were false and misleading in that they represented to purchasers that the said article contained not less than 38.62 per cent of protein and not more than 8 per cent of crude fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained not less than 38.62 per cent of protein and not more than 8 per cent of crude fiber, whereas, in fact and in truth, it did not contain 38.62 per cent of protein, but did contain a less

quantity, and the said article did not contain 8 per cent or less of crude fiber, but did contain a greater amount.

On June 9, 1917, a plea of guilty to the information was entered on behalf of the Union Seed & Fertilizer Co., and the court imposed a fine of \$100 and costs. On October 4, 1921, a plea of *nolo contendere* was entered on behalf of the Humphreys-Godwin Co., and the court imposed a fine of \$25 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9922. Adulteration and misbranding of olive oil. U. S. * * * v. Maggioros & Rousos. Pleas of *nolo contendere*. Fine, \$25. (F. & D. No. 9229. I. S. No. 6567-p.)

On October 28, 1919, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Spiro Rousos and Harry Maggioros, copartners, trading as Maggioros & Rousos, Rochester, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about May 13, 1918, from the State of New York into the State of Pennsylvania, of a quantity of olive oil which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product was essentially cottonseed oil.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in part for olive oil, which the said article purported to be.

Misbranding was alleged for the reason that the statement in prominent type in the Italian language, to wit, "Olive Oil," and the statement in smaller type in the English language, to wit, "With First Quality Pure Salad Oil," borne on the cans containing the said article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the said article was olive oil, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, whereas, in truth and in fact, it was not olive oil but was a product composed in part of cottonseed oil. Misbranding was alleged for the further reason that the said article was a product composed in part of cottonseed oil and was an imitation of, and was offered for sale and sold under the distinctive name of, another article, to wit, olive oil.

On September 20, 1921, the defendants entered pleas of *nolo contendere* to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9923. Misbranding of cottonseed cake. U. S. * * * v. Osage Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 11120. I. S. No. 10826-r.)

On June 28, 1920, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Osage Cotton Oil Co., a corporation, trading at Tulsa, Okla., alleging shipment by said company, on or about June 10, 1918, in violation of the Food and Drugs Act, as amended, from the State of Oklahoma into the State of Kansas, of a quantity of cottonseed cake which was misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the average net weight of 35 sacks was 96.46 pounds.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "100 lbs. Gross, 99 lbs. Net," borne on the tags attached to the sacks containing the article, regarding the said article, was false and misleading in that it represented that each of the said sacks contained 99 pounds of the article and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said sacks contained 90 pounds thereof, whereas, in truth and in fact, each of the said sacks did not contain 99 pounds of the said article, but did contain a less amount.

On September 30, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9924. Misbranding of McConnon's stock tonic. U. S. * * * v. 42 Packages and 5 Pails of McConnon's Stock Tonic. Default decrees of condemnation and forfeiture. Product ordered disposed of according to law. (F. & D. Nos. 11456, 11468. I. S. Nos. 8414-r, 8415-r, 8416-r. S. Nos. C-1526, C-1543.)

On October 10 and 15, 1919, respectively, the United States attorney for the Eastern District of Arkansas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 42 packages and 5 pails of McConnon's stock tonic, at Cotton Plant, Ark., alleging that the article had been shipped by McConnon & Co., Memphis, Tenn., August 5 and 29, 1919, respectively, and transported from the State of Tennessee into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of salt, charcoal, American wormseed, capsicum, gentian, fenugreek, and cereal filler.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements appearing in the labeling, regarding the curative and therapeutic effects thereof, to wit, (wrapper) " * * * Horses * * * For * * * epizooty, influenza, * * * Hog Cholera. * * * Feed two large tablespoonfuls to each hog or two pigs three times a day. If diseased feed 1 to 6 tablespoonfuls to each hog or two pigs 3 times a day. * * *," (booklet) " * * * Cattle, Milch Cows and Calves * * * Scours. McConnon's Stock Tonic in doses of two or three tablespoonfuls three times a day. In very bad cases add a tablespoonful of powdered charcoal to the dose of the Tonic and mix with the regular feed. * * * Hogs, Sows, Pigs and Shoats * * * Scours. Give two or four tablespoonfuls of McConnon's Stock Tonic to each pig in small amounts of feed. If disease is very bad add one tablespoonful of powdered charcoal to the regular dose of Tonic and feed until disease is improved, then use the Tonic only. Hog Cholera. * * * Give each hog six large tablespoonfuls McConnon's Stock Tonic in good, wholesome, easily digested food, such as ground feed, rye, oats, etc., mixed with milk or pure water, every three hours until cured. Be sure that each hog gets his proper share of the Tonic, otherwise it will not act. The dose can be increased if necessary with perfect safety. If you have hog cholera on your premises or in your neighborhood feed well hogs four tablespoonfuls of McConnon's Stock Tonic three or four times a day in regular food * * *," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 23, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the

court that the product be disposed of according to law and acting upon this order the United States marshal destroyed the goods.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9925. Adulteration and misbranding of wheat flour. U. S. * * * v. 434 Sacks of Wheat Flour "D. C." Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 14602. I. S. No. 6521-t. S. No. E-3173.)

On March 10, 1921, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 434 sacks of wheat flour, labeled "D. C.," remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Dillsburg Grain Milling Co., Dillsburg, Pa., on or about September 22, 1920, and transported from the State of Pennsylvania into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that excessive moisture had been mixed and packed with, and substituted in part for, the article and for the further reason that it had been mixed in a manner whereby damage and inferiority were concealed.

Misbranding was alleged for the reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, wheat flour, and for the further reason that it was [food] in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 7, 1921, George P. White, Philadelphia, Pa., claimant, having admitted the allegations of the libel and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,860, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9926. Adulteration and misbranding of cottonseed meal. U. S. * * * v. 75 Sacks of Cottonseed Meal * * *. Order of the court authorizing release of product under bond. (F. & D. No. 14856. I. S. No. 10790-t. S. No. W-920.)

On May 9, 1921, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 75 sacks of cottonseed meal, remaining unsold in the original packages at Raton, N. M., alleging that the article had been shipped by the McCall Cotton & Oil Co., Phoenix, Ariz., November 15, 1920, and transported from the State of Arizona into the State of New Mexico, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 38.61 per cent of protein.

It was alleged in the libel that a product containing less than 43 per cent of protein had been substituted for 43 per cent protein meal, which the said article purported to be.

Misbranding of the article was alleged in substance in the libel for the reason that the tags attached to the sacks containing the said article bore the statement regarding the composition thereof, to wit, "*** * * Protein 43% * * ***"

which statement was false and misleading and was intended and calculated to deceive and did deceive the purchaser.

On July 1, 1921, the McCall Cotton & Oil Co., Phoenix, Ariz., having filed a claim and answer admitting that the product was misbranded but alleging that such misbranding was due to error, an order of the court was entered directing that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the said sacks have attached thereto tags showing the true nature of the contents thereof.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9927. Misbranding of Pratts conditioner. U. S. * * * v. 7 Sacks * * * of Pratts Conditioner. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14882. Inv. No. 24625. S. No. E-3301.)

On April 22, 1921, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 sacks of Pratts conditioner, remaining in the original unbroken packages at Danvers, Mass., alleging that the article had been shipped by the Pratt Food Co., Philadelphia, Pa., on or about February 18, 1921, and transported from the State of Pennsylvania into the State of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of ground plant material, including oats, wheat, weed seeds, traces of ginger, caraway, fenugreek, and nux vomica, and inorganic material, including salt, Epsom salt, Glauber's salt, and copperas.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding its curative and therapeutic effect, appearing in the circular accompanying the said article, to wit, " * * * to insure healthy foal in mares and make stallions' service sure, * * * to make the bull's service sure * * * For Hog Cholera.—In case of hog cholera or any other sickness, increase this dose * * *," were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed, and the said statements were applied to the article so as to represent falsely and fraudulently, and to create in the minds of purchasers thereof the impression and belief, that it possessed the curative and therapeutic qualities claimed for it, whereas, in truth and in fact, it did not.

On July 12, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9928. Misbranding of Prof. Dupree's French specific pills. U. S. * * * v. 11½ Dozen Packages * * * of Prof. Dupree's French Specific Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15040. I. S. No. 7889-t. S. No. E-3378.)

On June 14, 1921, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11½ dozen packages of Prof. Dupree's French specific pills, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the

United Drug Exchange, New York, N. Y., alleging that the article had been shipped on or about May 23, 1921, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills contained iron sulphate, aloes, and ground plant material.

Misbranding of the article was alleged in substance in the libel for the reason that the circular accompanying the said article contained certain statements, designs, and devices regarding the curative or therapeutic effects thereof, to wit, " * * * For use in the suppression of irregularities of the menses. * * * efficient in their results * * * take one pill every two hours, alternating first the blue and then the pink, until the desired effect is produced. * * * In cases where the period is irregular * * * commence the use of these pills, three or four days before the expected time by taking one pill every four hours until the time arrives. * * * girls approaching the age of puberty, who have not overcome the functional derangements induced by that * * * change * * * can be given these pills with great benefit, * * * Reliable * * *," which were false and fraudulent in that the said article would not produce the curative or therapeutic effects claimed and which were applied to the article with a knowledge of their falsity for the purpose of defrauding purchasers thereof. Misbranding was alleged for the further reason that the said article was represented to be "of vegetable composition," which representation was false and misleading in that iron sulphate was an ingredient of the said article.

On August 3, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9929. Misbranding of Savatan. U. S. * * * v. 2 Dozen Boxes of Savatan. Default decree of condemnation, forfeiture, and destruction.
(F. & D. No. 15099. Inv. No. 31458. S. No. E-3399.)

On June 28, 1921, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 dozen boxes, more or less, of Savatan, remaining in the original unbroken packages at Philadelphia, Pa., consigned by S. Pfeiffer Mfg. Co., St. Louis, Mo., alleging that the article had been shipped on or about March 12, 1921, and transported from the State of Missouri into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product consisted of capsules containing a mixture of oils, including tansy oil, mint oil, and apiol.

Misbranding of the article was alleged in substance in the libel for the reason that the circular accompanying the said article contained the following statements regarding the curative or therapeutic effects thereof, (directions) " * * * Begin by taking one Savatan * * * Four or five days before the expected appearance of the menstrual flow * * *," which were false and fraudulent in that the said article would not produce the curative or therapeutic effects claimed, and which were applied to the article with a knowledge of their falsity for the purpose of defrauding purchasers thereof.

On August 4, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9930. Misbranding of cottonseed meal. U. S. * * * v. Osage Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$200 and costs. (F. & D. No. 9848. I. S. Nos. 8133-p, 8967-p, 8968-p.)

On August 13, 1919, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Osage Cotton Oil Co., a corporation, trading at Checotah, Eufaula, and Ada, Okla., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 30, 1917, and March 6 and April 23, 1918, respectively, from the State of Oklahoma into the States of Missouri and Kansas, respectively, of quantities of cottonseed meal which was misbranded.

Analysis of a sample of the article from each of the three consignments by the Bureau of Chemistry of this department showed that it contained 36.13 per cent, 33.9 per cent, and 35.6 per cent, respectively, of protein, and 7.01 per cent, 6.60 per cent, and 6.92 per cent, respectively, of ammonia.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis Ammonia Not less than 7½% Protein Not less than 38.50% * * *," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that the said statement represented that the article contained not less than 7½ per cent of ammonia and not less than 38.50 per cent of protein, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 7½ per cent of ammonia and not less than 38.50 per cent of protein, whereas, in truth and in fact, the three consignments of the said article did contain less ammonia and less protein than so declared, to wit, approximately 7.01, 6.60, and 6.92 per cent, respectively, of ammonia and approximately 36.13, 33.9, and 35.6 per cent, respectively, of protein.

On September 30, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9931. Misbranding of Dr. LeGear's hog prescription. U. S. * * * v. 24 Bottles, et al., of Dr. LeGear's Hog Prescription. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 12246, 12247, 12248. Inv. Nos. 21026, 21027. I. S. No. 643-r. S. Nos. E-1983, E-1933, E-1981.)

On February 21, 1920, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 72 bottles of Dr. LeGear's hog prescription, at Gum Neck, Elizabeth City, and Jarvisburg, N. C., respectively, alleging that the article had been shipped by the Dr. L. D. LeGear Medicine Co., St. Louis, Mo., on or about November 22 and December 3 and 5, 1919, respectively, and transported from the State of Missouri into the State of North Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) " * * * The Worm Expeller * * * Good for many cases of so-called Cholera in Hogs, such as Diarrhoea, Bowel Troubles, Kidney Worms, etc. * * * For Diarrhoea, Dysentery and other Bowel Troubles re-

sembling Cholera * * * For Kidney Worms or Paralysis * * * To Prevent Disease * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of magnesium sulphate, ferrous sulphate, sodium chlorid, charcoal, American wormseed, and mill screenings.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements appearing on the cartons were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed and in that the said statements were applied to the article so as to represent falsely and fraudulently to purchasers thereof that the said article was an effective remedy for the purposes for which it was recommended, when, in truth and in fact, it was not.

On April 20, 1920, no claimant having appeared for the property and the actions having been consolidated into one proceeding, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9932. Misbranding of Hobo kidney and bladder remedy. U. S. * * * v. 1 Dozen Bottles * * * of Hobo Kidney and Bladder Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12597. I. S. No. 12089-r. S. No. C-1898.)

On April 22, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 dozen bottles, more or less, of Hobo kidney and bladder remedy, at Memphis, Tenn., alleging that the article had been shipped by the Hobo Medicine Mfg. Co., Shreveport, La., on or about March 13, 1920, and transported from the State of Louisiana into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Hobo Kidney and Bladder Remedy * * * A Vegetable Compound for the Treatment of Brights Disease, Acute and Chronic Cystitis, Renal and Vesical Pus or Blood in Urine, Incontinence and Retention, Albuminuria and all Ailments caused from Defective (Kidneys and Bladder) Elimination. * * *"; (carton) "* * * Kidney & Bladder Remedy. A Vegetable Compound Manufactured From Native Herbs * * * Brights Disease. Acute & Chronic Cystitis Renal & Vesical Pus Or Blood In Urine, Incontinence Albuminuria & Ailments Caused From Defective (Kidney & Bladder) Elimination * * * One of The Greatest Alternatives * * * Back Ache, Persistent Head Ache, Dizziness, Forgetfulness, Weakness And Rheumatism When Caused By Disordered Kidneys, The Same Being True Of Inflammation Of The Bladder * * *"; (booklet) "* * * For nearly three years, Mr. G. D. Horton, * * * was a sufferer from Bright's disease in its most malignant form. * * * Within three days * * * Mr. Horton was greatly improved, and within two months restored to health without any recurrence of the malady in the intervening years. * * * Mr. Horton has named the preparation Hobo Kidney And Bladder Remedy. * * * It not only gave speedy relief to all the tortures which kidney and bladder afflictions entailed, such as incontinence [incontinence] of urine, gravel in the bladder, irritated glands, backaches, kindred complaints, but that in many instances the cures were absolutely permanent. * * * If your case is of long standing, do not expect one or two bottles to cure you. * * * you must continue

to take the medicine—a half-dozen, a dozen bottles—yes, until you feel absolutely sure every vestige of your trouble has been removed * * *.”

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of plant extractives, potassium nitrate, and benzoic and salicylic acids or their salts.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements regarding the therapeutic and curative effects of the said article were false and fraudulent and calculated to mislead and deceive the purchaser in that it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 15, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9933. Misbranding of Robert J. Pierce's Empress Brand pennyroyal tablets. U. S. * * * v. 70 Packages * * * of Robert J. Pierce's Empress Brand Pennyroyal Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13508. I. S. No. 12380-t. S. No. C-2321.)

On September 2, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 70 packages, more or less, of Robert J. Pierce's Empress Brand pennyroyal tablets, remaining unsold in the original packages at Columbus, Ohio, consigned by Robert J. Pierce, Inc., Mount Vernon, N. Y., on or about April 28, 1920, alleging that the article had been shipped from Mount Vernon, N. Y., and transported from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets contained iron sulphate, aloes, and tansy oil.

Misbranding of the article was alleged in substance in the libel for the reason that the said article purported to contain and be a cure for certain diseases, disorders, and symptoms by reason of certain statements appearing on the label of the box containing the said article and in the accompanying circular, to wit, (box) “* * * the most Powerful and Reliable Emmenagogue known. The only safe, sure and always effectual remedy in suppression (stoppage) of the menstrual function,” (circular) “* * * The Celebrated Female Regulator * * * Active treatment should begin four or five days before the expected reappearance of the menstrual flow. * * * Take one * * * three times daily, * * * follow * * * instructions * * * until the desired result is obtained. * * * emmenagogue medicine * * * they have invariably proved successful. As a Preventive of Irregularities. Take one * * * three times daily, * * * They can always be depended upon as a monthly regulator,” which statements were false and fraudulent in that it contained no ingredients capable of producing the curative and therapeutic effect claimed.

On February 12, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9934. Misbranding of cottonseed feed and cottonseed feed meal. U. S. * * * v. Southern Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 13913. I. S. Nos. 11073-r, 11096-r.)

On January 17, 1921, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Southern Cotton Oil Co., a corporation, trading at Newport, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 27 and November 29, 1919, respectively, from the State of Arkansas into the State of Michigan, of quantities of cottonseed feed and cottonseed feed meal which were misbranded. The articles involved in the consignments were labeled, respectively, "Arkansaw Brand Cotton Seed Feed * * *," and "Standard Brand Cotton Seed Feed Meal * * *."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Arkansaw Brand cottonseed feed contained 32.55 per cent of protein and 15.15 per cent of fiber, and that the Standard Brand cottonseed feed meal contained 33.25 per cent of protein and 16.45 per cent of fiber.

Misbranding of the articles was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis * * * Protein 36.00 Per Cent * * * Crude Fibre, 14.00 [Per Cent]," borne on the tags attached to the sacks containing the Arkansaw Brand feed, and the statement, to wit, "Guaranteed Analysis * * * Protein 36.00 per cent * * * Crude Fibre 12.00 per cent," borne on the tags attached to the sacks containing the Standard Brand feed, regarding the said articles and the ingredients and substances contained therein, were false and misleading in that they represented that the said articles contained not less than 36 per cent of protein and not more than 14 per cent of crude fiber, or not less than 36 per cent of protein and not more than 12 per cent of crude fiber, as the case might be, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they contained not less than 36 per cent of protein and not more than 14 per cent of crude fiber, or not less than 36 per cent of protein and not more than 12 per cent of crude fiber, as the case might be, whereas, in truth and in fact, the said articles did contain less than 36 per cent of protein, to wit, approximately 32.55 per cent and 33.25 per cent of protein, respectively, and the said articles contained more than 14 per cent or 12 per cent, as the case might be, of crude fiber, to wit, approximately 15.15 per cent and 16.45 per cent of crude fiber, respectively.

On September 28, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9935. Adulteration and misbranding of tomato catsup. U. S. * * * v. 25 Cases of Tomato Catsup, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14579, 14580, 14581. I. S. Nos. 9264-t, 9265-t, 9266-t. S. No. E-3157.)

On March 14, 1921, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 50 cases, 8-ounce sized bottles, 45 cases, 16-ounce sized bottles, and 15 cases 8-pound sized cans, of tomato catsup, in part at Concord, in part at Gastonia, and in part at Charlotte, N. C., alleging that the article had been shipped by the J. T. Polk Co., Mound City, Ill., October 22, 1920, and transported from the State of Illinois into the State of North Carolina, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

The article was labeled in part, " * * * Polk's Best Catsup * * * J. T. Polk Company * * * Chicago * * *."

Adulteration of the article was alleged in substance in the libels for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding was alleged in substance with respect to a portion of the product for the reason that the statements on the labels were false and misleading in that they stated that the packages contained "Red Ripe Tomatoes, Sugar, Vinegar, Salt and High Grade Spices," whereas, in fact, they contained a compound of putrid, filthy, decomposed vegetable substances unfit for food. It was further alleged in substance with respect to the 8-pound sized cans that they were not labeled in a plain and conspicuous manner with a statement of the contents.

On April 15, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9936. Misbranding of Kuhn's rheumatic remedy. U. S. * * * v. 15. Bottles and 17 Bottles * * * of * * * Kuhn's Rheumatic Remedy. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14605, 14606. Inv. Nos. 27537, 27538. S. Nos. C-2852, C-2853.)

On March 12, 1921, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 15 bottles and 17 bottles, more or less, of Kuhn's rheumatic remedy, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Kuhn Remedy Co., Chicago, Ill., on or about November 21 (November 1) and 22, 1920, respectively, and transported from the State of Illinois into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle and carton) "Kuhn's Rheumatic Remedy * * * Rheumatism, Neuralgia, Lumbago, Sciatica or Gout * * * Its Merit Proven * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the preparation consisted of iodine, potassium iodide, plant extractives, sugar, aromatics, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements appearing on the labels of the bottles and cartons, regarding the curative and therapeutic effects of the said article contained therein, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On May 4, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9937. Adulteration of coal-tar color. U. S. * * * v. 3 Pounds of Coal-Tar Color. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14614. I. S. Nos. 3709-t, 3710-t. S. No. E-3174.)

On March 14, 1921, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and

condemnation of 3 pounds of coal-tar color, remaining unsold in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of New York, and had been received in the Borough of Brooklyn, N. Y., on or about February 25, 1921, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that sodium chlorid and sodium sulphate had been mixed and packed with, and substituted wholly or in part for, the said article. Adulteration was alleged for the further reason that the article contained an added poisonous or deleterious ingredient, arsenic, which might render it injurious to health.

On June 10, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9938. Misbranding of La Provence Brand oil. U. S. * * * v. 75 Cans * * *, 16 Cans * * *, and 15 Cans * * * of Oil. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 15149. I. S. Nos. 6230-t, 6231-t, 6232-t. S. No. E-3476.)

On July 26, 1921, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 75 cans, 16 cans, and 15 cans, each purporting to contain one quart, one-half gallon, or one gallon, respectively, of vegetable oil, remaining in the original unbroken packages at Scranton, Pa., alleging that the article had been shipped by the Littauer Oil Co., Guttenberg, N. J., on or about January 22, 1921, and transported from the State of New Jersey into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel for the reason that the statements on the respective labels, to wit, "One Quart," "One Half Gallon," and "One Gallon," were false and misleading and deceived and misled the purchaser because of the fact that the said cans marked "One Quart" contained less than one quart, the said cans marked "One Half Gallon" contained less than one-half gallon, and the said cans marked "One Gallon" contained less than one gallon. Misbranding was alleged for the further reason that the said article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the said statements were not correct.

On September 8, 1921, the Littauer Oil Co., Guttenberg, N. J., having filed its claim and answer denying the material allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$300, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9939. Misbranding of pears. U. S. * * * v. 558 Boxes of Pears. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 15357. I. S. No. 7903-t. S. No. E-3571.)

On September 3, 1921, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and

condemnation of 558 boxes of pears, remaining in the original unbroken packages at Philadelphia, Pa., consigned by Cohen, Mann & Kahn, Palmdale, Calif., alleging that the article had been shipped from Palmdale, Calif., on or about August 10, 1921, and transported from the State of California into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Bartlett Pears * * * Net Contents Not Less Than 45 Lbs."

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statement regarding the said article was false and misleading in that the said statement indicated that the package contained not less than 45 pounds of the said article, when in fact it did contain less.

On September 12, 1921, A. Cancelmo, Philadelphia, Pa., having entered an appearance as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act, conditioned in part that the said product be relabeled under the supervision of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9940. Adulteration and misbranding of vinegar. U. S. * * * v. 41 Barrels of Vinegar. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 13993. I. S. No. 5305-t. S. No. E-2913.)

On December 9, 1920, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 41 barrels of vinegar, remaining unsold in the original unbroken packages at Bridgeport, Conn., alleging that the article had been shipped by the Powell Corp., Canandaigua, N. Y., on or about June 17, 1920, and transported from the State of New York into the State of Rhode Island, and reshipped therefrom into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that apple waste vinegar and added ash material had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged in substance for the reason that the barrels containing the article bore the statement regarding the said article and the ingredients and substances contained therein, to wit, "Pure Cider Vinegar Made From Apples," which statement was false and misleading and deceived and misled the purchaser in that it was intended to induce the purchaser to believe that the said article was apple cider vinegar, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that the said article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, cider vinegar.

On June 9, 1921, the Powell Corp., Canandaigua, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$600, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9941. Adulteration and misbranding of vinegar. U. S. * * * v. 24 Dozen Bottles * * * of Vinegar * * *. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 14437. I. S. No. 3210-t. S. No. C-2791.)

On January 7, 1921, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 dozen bottles, more or less, of vinegar, remaining unsold in the original unbroken packages at Carbondale, Ill., consigned by the Southern Mfg. Co., St. Louis, Mo., alleging that the article had been shipped from St. Louis, Mo., on or about May 4, 1920, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, (bottles) "Golden West Brand Distilled White Vinegar * * * Southern Manufacturing Co. St. Louis, U. S. A."

Adulteration of the article was alleged in the libel for the reason that dilute acetic acid had been mixed and packed therewith so as to lower or injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Distilled White Vinegar" was false and misleading and deceived and misled the purchaser and for the further reason that the said article was an imitation of, and was offered for sale under the distinctive name of, another article.

On February 21, 1921, Marquard F. Braun, claimant, having consented to a decree and having requested permission to rebrand the product so as to show the true contents of the said bottles, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9942. Adulteration and misbranding of tomato catsup. U. S. * * * v. 53½ Cases * * * of Royal Kitchen Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14494. I. S. No. 5731-t. S. No. E-3146.)

On February 28, 1921, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 53½ cases, more or less, of Royal Kitchen tomato catsup, remaining unsold in the original unbroken packages at Rochester, N. Y., alleging that the article had been shipped from Hartford, Conn., on or about October 29, 1920, and transported from the State of Connecticut into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Royal Kitchen * * * Tomato Catsup * * * Packed By Thomas Page Albion, N. Y., * * *"

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding was alleged for the reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 7, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9943. Adulteration of concentrated tomato and adulteration and misbranding of tomato conserve and tomato purée. U. S. * * * v. 50 Cases of Tomato Conserve, 13 Cases of Tomato Purée, and 50 Cases of Concentrated Tomato. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14497. I. S. Nos. 5939-t, 5940-t, 5941-t. S. No. E-3145.)

On February 26, 1921, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of tomato conserve, 13 cases of tomato purée, and 50 cases of concentrated tomato, at Pittsburgh, Pa., alleging that the articles had been shipped by Thomas Page, Albion, N. Y., on or about January 15, 1921, and transported from the State of New York into the State of Pennsylvania, and charging adulteration of the concentrated tomato and adulteration and misbranding of the tomato conserve and tomato purée, in violation of the Food and Drugs Act, as amended. The articles were labeled in part, respectively: (Cans) "Tripoli Brand Tomato Conserve * * * Packed By Thomas Page Albion, N. Y. * * * Contents 12 Oz. * * *"; "Royal Kitchen Tomato Puree Contents 2 Pounds Packed By Thomas Page * * *"; "Mt. Etna Brand Concentrated Tomato * * * Packed By Thomas Page * * *".

Adulteration of the articles was alleged in the libel for the reason that they consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

Misbranding of the Tripoli Brand tomato conserve and the Royal Kitchen tomato purée was alleged for the reason that they were food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On June 28, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9944. Misbranding of Green Cross horse feed. U. S. * * * v. Quaker Oats Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 14535. I. S. No. 11163-r.)

On April 29, 1921, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Quaker Oats Co., a corporation, trading at Morris, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 8, 1920, from the State of Illinois into the State of Mississippi, of a quantity of Green Cross horse feed which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 8.78 per cent of protein and 2.35 per cent of fat.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis Crude Protein 10.00% Crude Fat 2.5%," borne on the label printed on the sacks containing the said article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the said article contained not less than 10 per cent of crude protein and not less than 2.5 per cent of crude

fat, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 10 per cent of crude protein and not less than 2.5 per cent of crude fat, whereas, in truth and in fact, the said article did contain less than 10 per cent of crude protein and less than 2.5 per cent of crude fat.

On June 24, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9945. Adulteration and misbranding of evaporated apples. U. S. * * *
v. William J. Hamilton, Andrew C. Hamilton, Scott D. Hamilton,
Mrs. Katie Hamilton, Mrs. Roswell S. Lander, and Mrs. Leo Carothers
(A. C. Hamilton & Co.). Pleas of guilty. Fine, \$48. (F. & D. No. 14538. I. S. Nos. 3094-r, 7762-r, 7763-r.)

On or about May 28, 1921, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William J. Hamilton, Andrew C. Hamilton, Scott D. Hamilton, Mrs. Katie Hamilton, Mrs. Roswell S. Lander, and Mrs. Leo Carothers, trading as A. C. Hamilton & Co., Fayetteville, Ark., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about October 27, 1919, and February 20 and 25, 1920, respectively, from the State of Arkansas into the States of Colorado and Minnesota, respectively, of quantities of evaporated apples which were adulterated and misbranded.

Examination of samples of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for evaporated apples, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Evaporated Apples," borne on the boxes containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the said article was evaporated apples, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was evaporated apples, whereas, in truth and in fact, it was not evaporated apples but was a product containing added water.

On May 28, 1921, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$48.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9946. Adulteration and misbranding of egg noodle sticks. U. S. * * *
v. Lee Lan, Lee Ching Hong, Lee Tung, Long Pon, Leong Kong,
Fong Jung, Lee Kow, Lee Pong, Lee Fook, Lee Dat Chow, Lee
Wing, Mark Chung Mong, One Wah, Lee Leong, and Lee Young Lew
(Yat Gaw Min Co.). Pleas of guilty. Fine, \$25. (F. & D. No. 14540. I. S. No. 15216-r.)

On May 21, 1921, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Lee Lan, Lee Ching Hong, Lee Tung, Long Pon, Leong Kong, Fong Jung, Lee Kow, Lee Pong, Lee Fook, Lee Dat Chow, Lee Wing, Mark Chung Mong, One Wah, Lee Leong, and Lee Young Lew, trading as the Yat Gaw Min Co., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about January 21, 1920, from the State of New York into the State

of Pennsylvania, of a quantity of egg noodle sticks which were adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained a small amount of coloring matter, probably saffron, and that it contained little, if any, egg.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, plain water noodles, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength; for the further reason that ordinary plain water noodles, containing little or no egg, had been substituted wholly or in part for "Egg Noodle Sticks," which the article purported to be; and for the further reason that it had been artificially colored in a manner whereby its inferiority to the article it purported to be, to wit, "Egg Noodle Sticks," was concealed.

Misbranding was alleged for the reason that the said article was labeled "Egg Noodle Sticks," so as to deceive and mislead the purchaser into the belief that it was "Egg Noodle Sticks," whereas, in truth and in fact, it was not egg noodle sticks but was a product composed of plain noodles, having therein an insufficient amount, if any, of egg. Misbranding was alleged for the further reason that the article was a product composed of plain or water noodles, artificially colored and prepared in imitation of, and was offered for sale under the distinctive name of, another article, to wit, "Egg Noodle Sticks."

On May 23, 1921, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9947. Misbranding of grapes. U. S. * * * v. James Marcelletti. Plea of guilty. Fine, \$50. (F. & D. No. 14544. I. S. No. 635-t.)

On April 27, 1921, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against James Marcelletti, Paw Paw, Mich., alleging shipment by said defendant, on or about September 18, 1920, in violation of the Food and Drugs Act, as amended, from the State of Michigan into the State of Illinois, of a quantity of grapes which were misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside thereof.

On June 7, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9948. Adulteration of coal-tar color. U. S. * * * v. 1 Can of Coal-Tar [Color]. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14615. I. S. No. 3226-t. S. No. E-3171.)

On March 11, 1921, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 can of coal-tar [color], remaining unsold in the original unbroken package at Mount Carmel, Pa., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about February 23, 1921, and transported from the State of Missouri into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that sodium chlorid and sodium sulphate had been mixed and packed with, and substituted

wholly or in part for, the said article, and for the further reason that it contained an added poisonous and deleterious ingredient, to wit, arsenic, which might render the said article injurious to health.

On June 25, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9949. Adulteration of chocolate coating and adulteration and misbranding of cocoa liquor. U. S. * * * v. 26 Cases and 78 Cases of Chocolate Coating * * * and 18 Cases of Cocoa Liquor * * *. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 15096, 15098. I. S. Nos. 10643-t, 10644-t, 10645-t. S. Nos. W-982, W-983, W-984.)

On or about June 28, 1921, the United States attorney for the Western District of Washington, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 104 cases of chocolate coating and 18 cases of cocoa liquor, remaining in the original unbroken packages at Seattle, Wash., alleging that the articles had been shipped by the D. Ghirardelli Co., San Francisco, Calif., between the dates February 7, 1920, and May 10, 1921, and transported from the State of California into the State of Washington, and charging adulteration of the chocolate coating and adulteration and misbranding of the cocoa liquor, in violation of the Food and Drugs Act. The articles were labeled in part, respectively: (Cake) "W. H. Miners Sweet Chocolate Coating * * *"; D. Ghirardelli's Confectioners Sweet Chocolate O Coating"; and "W. H. Miners Confectioners Chocolate Coating Cocoa Liquor."

Adulteration of both articles was alleged in the libels for the reason that excessive cocoa shells had been mixed and packed with, and substituted wholly or in part for, the said articles. Adulteration of the cocoa liquor was alleged for the further reason that a valuable constituent, to wit, cocoa fat, had been wholly or in part abstracted.

Misbranding of the cocoa liquor was alleged for the reason that the statement on the label, "Confectioners Chocolate Coating," was false and misleading and deceived and misled the purchaser when applied to this product.

On July 11, 1921, the D. Ghirardelli Co., San Francisco, Calif., claimant, having admitted the allegations of the libels and having confessed judgment, decrees of condemnation and forfeiture were entered, and it was ordered by the court that the products be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$1,100, in conformity with section 10 of the act, conditioned in part that the said products be reconditioned under the supervision of and in a manner satisfactory to this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9950. Misbranding of cottonseed meal. U. S. * * * v. John F. Smith, William B. Traynor, Charles A. Peacock, and Francis W. Dewson (Shelby County Cotton Oil Mill). Pleas of nolo contendere. Fine, \$50 and costs. (F. & D. No. 11347. I. S. No. 10901-r.)

On January 22, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John F. Smith, William B. Traynor, Charles A. Peacock, and Francis W. Dewson, trading as the Shelby County Cotton Oil Mill, Memphis, Tenn., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or

about January 3, 1919, from the State of Tennessee into the State of Kentucky, of a quantity of cottonseed meal which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 33.4 per cent of protein and 16.76 per cent of crude fiber.

Misbranding of the article was alleged in the information for the reason that the statements appearing on the labels of the sacks containing the said article, to wit, "Cotton Seed Meal * * * Protein 36.00% * * * Fiber 15.00 [%]," were false and misleading in that they represented to purchasers thereof that the article contained not less than 36 per cent of protein and not more than 15 per cent of fiber, and for the further reason that the said article was labeled as aforesaid so as to deceive and mislead purchasers thereof into the belief that it contained not less than 36 per cent of protein and not more than 15 per cent of fiber, whereas, in fact and in truth, it did contain less than 36 per cent of protein and more than 15 per cent of fiber.

On October 5, 1921, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of \$50 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

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United States Department of Agriculture,

BUREAU OF CHEMISTRY.

W. G. CAMPBELL, Acting Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 9951-10000.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., March 11, 1922.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

9951. Adulteration and misbranding of raisins. U. S. * * * v. 430 Boxes * * * of Ungraded Muscatel Raisins. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 11425. I. S. No. 12408-r. S. No. C-1506.)

On October 4, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 430 boxes, each containing 25 pounds, more or less, of ungraded Muscatel raisins, remaining in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped by the A. & S. Raucci Co., Pittsburgh, Pa., on or about September 5, 1919, and transported from the State of Pennsylvania into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, sand, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality. Adulteration was alleged for the further reason that the article consisted in part of a filthy, decomposed vegetable [substance].

Misbranding was alleged in substance for the reason that the article was [food] in package form, and the quantity of the contents was not marked thereon in terms of weight, measure, or numerical count.

On November 28, 1919, the Federal Coffee Co., Cleveland, Ohio, claimant, having confessed the allegations of the libel to be true, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9952. Misbranding of Hobo kidney and bladder remedy. U. S. * * * v. 13 Dozen Bottles of Hobo Kidney and Bladder Remedy, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 12376, 12377, 12378, 12426, 12427. I. S. Nos. 9061-r, 9063-r, 9064-r, 9065-r, 9066-r. S. Nos. C-1891, C-1892, C-1893, C-1918, C-1919.)

On April 26 and on or about May 7, 1920, respectively, the United States attorney for the Eastern District of Arkansas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 77½ dozen bottles of Hobo kidney and bladder remedy, in part at Little Rock, Ark., and in part at Pine Bluff, Ark., consigned by the Hobo Medicine Mfg. Co., Shreveport, La., on or about January 24 and March 12, 13, 15, and 16, 1920, respectively, alleging that the article had been shipped from Shreveport, La., and transported from the State of Louisiana into the State of Arkansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of plant extractives, potassium nitrate, and benzoic and salicylic acids or their salts.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements regarding the curative and therapeutic effects thereof, appearing upon the labels of the bottles and cartons containing the said article and in the accompanying booklets, to wit, (bottle and carton) " * * * Kidney and Bladder Remedy. A Vegetable Compound * * * Brights Disease, Acute and Chronic Cystitis, Renal and Vesical Pus or Blood in Urine, Incontinence * * * Albuminuria, and all Ailments caused from Defective (Kidneys and Bladder) Elimination * * *," (carton) " * * * Manufactured From Native Herbs * * * One Of The Greatest Alteratives * * * Back Ache, Persistent Head Ache, Dizziness, Forgetfulness, Weakness And Rheumatism When Caused By Disordered Kidneys, The Same Being True Of Inflammation Of The Bladder * * *," (booklet) " * * * For nearly three years, Mr. G. D. Horton, * * * was a sufferer from Bright's disease in its most malignant form. * * * Within three days * * * Mr. Horton was greatly improved, and within two months restored to health without any recurrence of the malady in the intervening years. * * * it not only gave speedy relief to all the tortures which kidney and bladder afflictions entailed, such as incontinence [incontinence] of urine, gravel in the bladder, irritated glands, backaches, kindred complaints, but that in many instances the cures were absolutely permanent. * * * If your case is of long standing, do not expect one or two bottles to cure you * * * you must continue to take the medicine—a half-dozen, a dozen bottles—yes, until you feel absolutely sure every vestige of your trouble has been removed * * *," were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of effecting the results claimed.

On October 2, 1920, the cases having been consolidated into one action by the United States attorney and no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9953. Misbranding of cottonseed meal. U. S. * * * v. The Southern Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$100. (F. & D. No. 12880. I. S. No. 18351-r.)

On December 8, 1920, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against

the Southern Cotton Oil Co., a corporation, Columbus, Ga., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 29, 1918, from the State of Georgia into the State of Maine, of a quantity of cottonseed meal which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 5.32 per cent of nitrogen, 6.46 per cent of ammonia, 33.24 per cent of protein, and 16.76 per cent of crude fiber.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis Ammonia 7% Protein 36% * * * Nitrogen 5 3/4% * * * Fibre, max. 14%," borne on the tags attached to the sacks containing the said article, regarding it and the ingredients and substances contained therein, was false and misleading in that the said statement represented that the article contained not less than 7 per cent of ammonia, 36 per cent of protein, and 5 1/4 per cent of nitrogen and that it contained not more than 14 per cent of fiber, and for the further reason that the said article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 7 per cent of ammonia, 36 per cent of protein and 5 1/4 per cent of nitrogen and that it contained not more than 14 per cent of fiber, whereas, in truth and in fact, the said article contained less than 7 per cent of ammonia, 36 per cent of protein, and 5 1/4 per cent of nitrogen and contained more than 14 per cent of fiber.

On October 8, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9954. Misbranding of Wendell's Ambition Brand pills. U. S. * * * v. 8 Dozen Large, 4 Dozen Small, 3 Dozen Large, and 2 Dozen Small Packages of * * * Wendell's Ambition Brand Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13615, 13656. I. S. Nos. 10013-t, 10021-t. S. Nos. W-646, W-761.)

On September 8 and 10, 1920, respectively, the United States attorney for the Southern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 11 dozen large and 6 dozen small packages of Wendell's Ambition Brand pills, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Wendell Pharmacal Co., Syracuse, N. Y., in part on or about January 20, 1920, and in part on or about May 27, 1920, and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills contained material derived from aloes, cinchona, and nux vomica, coated with sugar.

Misbranding of the article was alleged in substance in the libels for the reason that the cartons containing the said article were labeled in part as follows, "* * * Pills Ambition Brand Beneficial in the treatment of * * * Nervous Debility, Sleeplessness, Despondency, Mental Depression, Hysteria, Nervous Headaches, Dyspepsia, Indigestion * * * Affections of the Nervous System," which statements were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On August 17, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be disposed of according to law. The product was destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9955. Adulteration and misbranding of cottonseed meal. U. S. * * * v. The Buckeye Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 14733. I. S. No. 11086-r.)

On June 21, 1921, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Buckeye Cotton Oil Co., a corporation, having a place of business at Little Rock, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 14, 1919, from the State of Arkansas into the State of Michigan, of a quantity of cottonseed meal which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 33.8 per cent of protein, 6.57 per cent of ammonia, and 15.31 per cent of crude fiber. Examination by the said bureau showed that the sample contained at least 36 per cent of cottonseed hulls.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed hulls, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted in part for cottonseed meal, which the said article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Guarantee Protein 36.00% * * * Ammonia 7.00% Fibre 14.00%," borne on the tags attached to the sacks containing the article, were false and misleading in that they represented to the purchaser thereof that the said article contained 36 per cent of protein, 7 per cent of ammonia, and 14 per cent of fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained 36 per cent of protein, 7 per cent of ammonia, and 14 per cent of fiber, whereas, in truth and in fact, the said article did not contain the ingredients in the percentages aforesaid, but did contain a less amount of protein and ammonia and a larger amount of fiber than so stated on the labels.

On September 23, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9956. Adulteration and misbranding of barley feed. U. S. * * * v. 340 Sacks of Barley Feed * * *. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14778. I. S. No. 7866-t. S. No. E-3316.)

On April 13, 1921, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on April 22, 1921, an amended libel, for the seizure and condemnation of 340 sacks of barley feed, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Culbert Milling Co., Minneapolis, Minn., alleging that the article had been shipped from Minneapolis, Minn., on or about January 27, 1920, and transported from the State of Minnesota into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, (tag) "Culbert Milling Co. 2901 Harriet Ave. Minneapolis, Minn. Mx Ground Barley Feed * * *."

Adulteration of the article was alleged in the libel for the reason that ground oats and weed seeds had been mixed and packed with, and substituted wholly or in part for, the said article, and for the further reason that the said article was mixed in a manner whereby damage or inferiority was concealed.

Misbranding was alleged in substance for the reason that the tags attached to the sacks containing the article bore the following statements regarding the said article and the ingredients and substances contained therein, to wit, "Mx Ground Barley Feed" or "Whole Ground Barley Feed" (the word "Whole" being penciled out and "Mx" written above), "Crude Protein at least 10.3% Crude Fat [at least] 3.5% Crude Fibre not more than 9.0%," which were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 28, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9957. Misbranding of Cacapon healing water. U. S. * * * v. One 55-Gallon Drum of * * * Cacapon Healing Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15103. I. S. No. 8351-t. S. No. E-3396.)

On June 28, 1921, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of one 55-gallon drum of Cacapon healing water, remaining in the original unbroken package at Baltimore, Md., consigned March 4, 1921, alleging that the article had been shipped by the Capon Springs Co., from Winchester, Va., and transported from the State of Virginia into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the dissolved mineral matter consisted chiefly of limestone.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing in the labeling thereof, regarding the curative and therapeutic effect of the said article, "For Many Generations Leading Physicians have prescribed Cacapon (Healing Water) for many diseases, including some thought incurable. * * * Drink And Live * * * Tonic, Alterative and Diuretic. * * * I know of No Water Comparable To Capon for bladder and kidney troubles. * * * I have observed striking results in rheumatic gout, syphilitic rheumatism and chronic inflammation * * *," were false and fraudulent, since the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On September 22, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9958. Misbranding of Lung Germine. U. S. * * * v. 15 Bottles, 18 Bottles, and 24 Bottles of * * * Lung Germine. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 15127, 15128, 15129. Inv. Nos. 32805, 32804, 32889. S. Nos. E-3415, E-3416.)

On July 9, 1921, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemna-

tion of 15 bottles, 18 bottles, and 24 bottles of Lung Germine, remaining in the original unbroken packages at Baltimore, Md., consigned September 1, 1920, and April 21 and June 2, 1921, respectively, alleging that the article had been shipped in part by the Lung Germine Co., Jackson, Mich., and in part by the Rox Chemical Co., Louisville, Ky., and transported from the States of Michigan and Kentucky, respectively, into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sulphuric acid, alcohol, and water, with small amounts of material derived from cod liver oil, iron sulphate, and spices.

Misbranding of the article was alleged in the libels for the reason that the statement upon the bottle label and carton, "Alcohol 10% by volume," was false and misleading, and in that the package or label failed to bear a statement of the quantity or proportion of alcohol contained therein. Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effect of the said article, to wit, (bottle) " * * * Treatment For Relief Of Defective Nutrition and for Increasing Strength and General Health where Mucous Membranes are Susceptible to Lung Disease and Pulmonary Disorganization with Bronchial Irritation. (In Pre-tubercular Stages) * * * Use no other lung medicine while using Lung Germine. Read carefully the circular accompanying this bottle * * *," (carton) " * * * Your Lungs Are They Weak Or Painful? Do your lungs ever bleed? Do you have night sweats? Are you short of breath? Have you pains in chest and sides? Do you spit yellow and black matter? Do you have pains under your shoulder blades? These Are Regarded Symptoms of Lung Trouble Do Not Neglect These Symptoms. Keep Lung Germine in your home ready for immediate use at the first sign of Membraneous Lung Disease or Bronchial Irritation. * * * Treatment For Relief Of Defective Nutrition and for Increasing Strength and General Health where Mucous Membranes are Susceptible to Lung Diseases and Pulmonary Disorganization with Bronchial Irritation (In Pre-tubercular Stages) * * *," (booklet) (in English) " * * * In recommending Lung Germine to the world of sufferers from incipient mucous membrane affection of the lungs, and bronchial irritation, we do so with the fullest confidence. * * * The remarkable results it has accomplished * * * excessive coughs for months * * * splendid results * * * weak membranes of the lungs and * * * nearly always suffering from a severe cough and weakness, * * * Lung Germine relieved the trouble. * * * before taking Lung Germine their lungs had been * * * affected, and that after using Lung Germine * * * their lungs were * * * found to be relieved. * * * recommended for lung and bronchial troubles, * * * We recommend Lung Germine for alleviating the cough, increasing the strength and general health in such conditions of cellular hyperplasia, affecting the mucous membranes of the air passages with the consequent risk of a multiplication of cells, filling up a greater or less number of the air vesicles of the lungs; generally those of the apex, and then, consumption, or malignant attacks of the lungs and bronchial tract results. * * * It is, therefore, of vital importance that sufferers take the treatment Lung Germine, which has a decided influence upon the general condition of the system, alleviating the cough and night sweats, aiding expectoration, increasing the strength and general health of the sufferer, and often retarding, if not arresting, the pulmonary disorganization. Lung Germine contains * * * only such ingredients as are of recognized therapeutic value for the treatment of the conditions as outlined. One

of the ingredients * * * is recognized * * * as a nutrient of inestimable influence during phthisis. * * * it does more good than all other remedies of the Pharmacopoeia * * * combined. * * * Lung Germine has been proven beyond question to possess a remarkable beneficial influence; it has produced splendid results * * * relieving defective nutrition, with its consequent pallor, anemia, night sweats, excessive coughing and expectoration of germ-laden mucous from the affected parts * * * the coughing will become less and less and a general improvement may be confidently expected. * * * the long record of extraordinary instances of relief which Lung Germine has produced should encourage every sufferer from incipient membranous lung diseases * * * no such sufferer should feel in the least discouraged about his or her condition, if Lung Germine has yet to be tried. * * * If you are suffering from lung * * * trouble that has not passed the incipient stage * * * you are using the best medicine known for such afflictions when you use Lung Germine. * * * consumption * * * What To Do For Hemorrhage * * * bleeding from the lung * * * What To Do For Persistent Night Sweats Night sweats are a commonly recognized symptom of tuberculosis * * * Consumption * * * tuberculosis * * * tubercle bacilli * * * germs of tuberculosis * * *," (other languages) "Lung Germine for chronic lung * * * affections * * * Lung Germine for chronic lung or bronchial diseases * * *," were false and fraudulent, since the said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed for it upon the said bottle label and carton and in the accompanying booklet or circular.

On September 22, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9959. Adulteration and misbranding of olive oil. U. S. * * * v. 5 Cases, 20 Dozen Quart Cans, * * * of Aroma Brand Cream Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15383. I. S. No. 8085-t. S. No. E-3578.)

On September 7, 1921, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 cases, containing 20 dozen quart cans, of olive oil, remaining in the original unbroken packages at Norristown, Pa., consigned by the Virgona Co., New York, N. Y., alleging that the article had been shipped from New York, N. Y., on or about June 3, 1921, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, peanut oil, mixed in a manner whereby damage or inferiority was concealed, had been substituted wholly or in part for the article and had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality or strength.

Misbranding was alleged in substance for the reason that the labels of the packages containing the article bore the following statements regarding the said article and the ingredients and substances contained therein, to wit, "Aroma Brand Olio D'Oliiva Extra Fino * * * First Pressing Cream Olive Oil * * * One Quart Full Measure Guaranteed * * * Extra Fine Olive Oil * * *," which were false and misleading in that the said packages did not contain the product alleged in said statements. Misbranding was alleged

for the further reason that the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On September 27, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9960. Adulteration of rye. U. S. * * * v. One Car-Load of Rye. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 458-c.)

On December 14, 1918, the United States attorney for the Eastern District of Virginia, acting upon a report by the Dairy and Food Commissioner of Virginia, filed in the District Court of the United States for said district a libel for the seizure and condemnation of one car-load of rye, at Richmond, Va., alleging that the article had been shipped by the Stuart Grain Co., Schoolcraft, Mich., on or about October 15, 1918, and transported from the State of Michigan into the State of Virginia, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of filthy, decomposed, and putrid vegetable matter.

On January 4, 1919, Ernest L. Wellman, claimant, having agreed to brand and label correctly the said product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9961. Misbranding of Federal stock conditioner. U. S. * * * v. 103 Bags of Federal Stock Conditioner. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 586-c.)

On December 18, 1920, the United States attorney for the Western District of New York, acting upon a report by an official of the Department of Agriculture of New York, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 103 bags of Federal stock conditioner, remaining unsold in the original unbroken packages at North Tonawanda, N. Y., consigned by the Federal Stock Food Co., Mifflinburg, Pa., alleging that the article had been shipped from Mifflinburg, Pa., on or about October 22, 1920, and transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bags) "Federal Stock Conditioner * * *"; (circular) "* * * This Conditioner is only good for Horses, Hogs, Sheep, Cows, Goats, and Calves, and contains the following ingredients:—Charcoal, Epsom Salts, Copperas, Cocoa Bean Shell Meal, Buckwheat Hulls, Ground Oyster Shells for lime, * * * Salt one per cent * * * Take Notice—This is no food, it is a conditioner * * * It is medicated and a laxative; is supposed to purify the blood and tone up the system. Directions For Feeding Federal Stock Conditioner. A Tablespoonful Is a Feed Measure Horses Cows Steers Hogs:—Three feed measurers for each animal three times a day * * * For Hog Cholera:—Four tablespoonfuls three times a day with a little salt added. * * * Sheep And Goats * * * With the above directions add salt according to amount of salt you would feed to your stock. * * *"

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing on the bag and in the accompanying

circular were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effect claimed. Misbranding was alleged in substance for the further reason that the above-described circular bore a statement regarding the ingredients contained in the said article, which was false and misleading.

On May 6, 1921, the Federal Stock Food Co., Mifflinburg, Pa., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9962. Adulteration of flour. U. S. * * * v. 1,222 Sacks of Flour. Of 988 sacks seized, default decree of condemnation, forfeiture, and destruction with respect to 417 sacks; action quashed and product released with respect to 198 sacks; consent decrees of condemnation and forfeiture providing for release of 373 sacks under bond. (F. & D. No. 600-c.)

On December 17, 1920, the United States attorney for the District of Porto Rico, acting upon a report by the Commissioner of Sanitation of Porto Rico, filed in the District Court of the United States for said district a libel, and on February 21, 1921, an amendment thereto, praying the seizure and condemnation of approximately 1,222 sacks of flour, remaining in the original unbroken packages in part at San Juan and in part at Bayamon, P. R., alleging that the article was adulterated in violation of the Food and Drugs Act. The article was in nine separate lots and labeled in part, respectively: "Saturno, M. L. Co."; "C. I. de Y. Gran Fuerza"; "Ilimotex, J. F. A."; "S. R. Co."; "Almirante, E. O."; "Golden Seal, M. R., Cataño"; "Bonanza, C. I. de Y."; "La Puritana, C. I. de Y."; and "Star & Crescent, S. L. V. & Co."

Adulteration of the article was alleged in the libel, as amended, for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance.

On January 4 and February 4 and 15, 1921, respectively, 988 sacks of the product having been seized by the United States marshal, and Sucesores de San Miguel Hermanos, S. en C., Bayamon, P. R., S. Ramirez & Co. and Julio F. Anduze, of San Juan, P. R., respectively, claimants for 373 sacks thereof, having admitted the allegations of the libel so far as they concerned the said 373 sacks, having consented to the entry of decrees, and having agreed to denature the said product so as to render it unfit for any purpose other than agricultural uses, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to said claimants upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$750, in conformity with section 10 of the act. On January 6, 1921, M. Lamadrid & Co., San Juan, P. R., claimant for 198 sacks of the said product, having filed a motion to quash the attachment on the grounds that a special examination of the said 198 sacks had shown the product to be fit for human consumption, judgment of the court was entered, ordering that the said attachment be quashed and that the said 198 sacks be returned to the claimant thereof. On February 21, 1921, no claimant having appeared for the remaining 417 sacks, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9963. Adulteration of corn. U. S. * * * v. 55 Sacks of Corn. Decree permitting product to be disposed of by insular authorities. Product destroyed. (F. & D. No. 610-c.)

On February 1, 1921, the United States attorney for the District of Porto Rico, acting upon a report by the Commissioner of Sanitation of Porto Rico, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 55 sacks of corn, remaining in the original unbroken packages at San Juan, P. R., alleging that the article was adulterated in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance.

On February 21, 1921, no claimant having appeared for the property, it was ordered by the court that the insular authorities be given permission to dispose of the said product in such manner as to them might seem proper. The product was destroyed.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9964. Misbranding of Capitol hog remedy. U. S. * * * v. 48 Cartons of Capitol Hog Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12423. I. S. No. 166-r. S. No. E-2083.)

On April 28, 1920, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 48 cartons of Capitol hog remedy, at Greenville, N. C., alleging that the article had been shipped by the Capitol Food Co., Tiffin, Ohio, on or about December 13, 1919, and transported from the State of Ohio into the State of North Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton)
 " * * * Capitol Hog Remedy * * * Superior * * * Remedy For Swine. * * * Recommended for Hog Cholera, Scrofula, Inflammatory and all Contagious Diseases peculiar to Swine; purifies the blood; * * * an invaluable remedy for Hog Cholera, Scrofula, Inflammatory conditions and all contagious diseases peculiar to Swine. * * * Cures Indigestion, * * * keeps the Hogs healthy * * * Capitol Hog Remedy insures health * * * A wonder In The Development of Swine. Recommended to cure and prevent diseases, produces an extraordinary rapid growth * * * Recommended to cure and prevent Hog Cholera and all contagious diseases peculiar to Swine; * * * restores Hogs to a good healthy condition. Save Your Hogs * * * feed Capitol Hog Remedy * * * regularly for three months, thus insuring no loss whatever from Cholera or any other disease, * * * This will keep them free from disease * * * For Young Pigs * * * will insure a rapid growth and prevent all diseases. * * * For Hog Cholera.—As soon as you notice that Hog Cholera has begun on your herd, * * * Give from two to three tablespoonfuls of Capitol Hog Remedy * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of charcoal, powdered vegetable material, including nux vomica and wormseed, iron sulphate, magnesium sulphate, sodium carbonate, and sodium chlorid.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the labeling were false and fraudulent and were made for the purpose of deception so as to represent falsely to the purchaser thereof that the said article was fit for the pur-

poses for which it was recommended, when, in truth and in fact, it contained no ingredient or combination of ingredients capable of producing the effect claimed.

On April 12, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9965. Adulteration of sugar. U. S. * * * v. 1,500 Pounds of Sugar. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12429. I. S. No. 17884-r. S. No. E-2084.)

On May 3, 1920, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,500 pounds of sugar, at Farmingdale, N. J., alleging that the article had been shipped by the Murray Cranston Corp., Brooklyn, N. Y., on or about March 8, 1920, and transported from the State of New York into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that substances, to wit, dirt and sawdust, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and had been substituted wholly or in part for the said article and for the further reason that it consisted wholly or in part of a filthy vegetable substance.

On July 11, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9966. Misbranding of Hall's Texas Wonder. U. S. * * * v. 16 Bottles of Hall's Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12945. I. S. No. 238-r. S. No. E-2392.)

On July 21, 1920, the United States attorney for the Northern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 16 bottles of Hall's Texas Wonder, at Blountstown, Fla., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., March 10, 1920, and transported from the State of Missouri into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Hall's Texas Wonder. A Remedy For Kidney and Bladder Troubles. Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, gualiac, an oil similar to turpentine oil, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason the above-quoted statements on the label of the bottle containing the article constituted a false and fraudulent representation calculated to mislead and deceive the purchaser in that the said article was not composed of any ingredient or combination of ingredients capable of producing the curative or therapeutic results claimed in said statements.

On August 14, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9967. Misbranding of DuBois Pacific pills. U. S. * * * v. 52 Boxes of DuBois Pacific Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14811. Inv. No. 30307. S. No. C-2982.)

On April 18, 1921, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 52 boxes of DuBois Pacific pills, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by W. J. Baumgartner, Detroit, Mich., on or about January 15, 1921, and transported from the State of Michigan into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Circular) " * * * Reliable Female Tonic and Regulator. * * * for relieving general female disorders. Needless pain and suffering may be prevented by the use of DuBois Pills * * * a female tonic exerting helpful medicinal action over the female organs. * * * in the relieving of pain, due to leucorrhea, etc., and regulating the menses. * * * a tonic for the female organs * * * suppressed menstruation, painful menstruation, inflammation of the vagina caused by anemia, etc. * * * For leucorrhea * * * In cases of menstrual disturbances * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills contained aloes and iron sulphate, with a coating of sugar and calcium carbonate.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements appearing in the circular, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed, and for the further reason that the statement in the said circular, "DuBois Pills which are purely vegetable," was false and misleading.

On July 18, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9968. Misbranding of dairy feed. U. S. * * * v. Dyersburg Milling Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 14907. I. S. Nos. 11159-r, 11175-r.)

On July 25, 1921, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Dyersburg Milling Co., a corporation, Dyersburg, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 14 and May 27, 1920, respectively, from the State of Tennessee into the State of Mississippi, of quantities of Dyerco dairy feed which was misbranded.

Analyses of samples of the article from the different consignments by the Bureau of Chemistry of this department showed that it contained 19.89 per cent and 20.1 per cent, respectively, of protein.

Misbranding of the article was alleged in the information for the reason that the tags attached to the sacks containing the said article were labeled, "Guaranteed Analysis: Crude Protein 24.00%," which statement regarding the article and the percentage of crude protein contained therein was false and misleading in that the said article did not contain the guaranteed amount of crude protein but did contain a less amount, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained the guaranteed amount of crude protein, to wit, 24

per cent, whereas, in truth and in fact, the said article contained a less amount than 24 per cent of crude protein.

On September 24, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9969. Misbranding of Lung Germine. U. S. * * * v. 2 Dozen Bottles of * * * Lung Germine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15092. I. S. No. 10903-t. S. No. W-989.)

On or about June 27, 1921, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 dozen bottles of Lung Germine, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Lung Germine Co., Jackson, Mich., March 7, 1921, and transported from the State of Michigan into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) “* * * Treatment For Relief Of Defective Nutrition and for Increasing Strength and General Health where Mucous Membranes are Susceptible to Lung Disease and Pulmonary Disorganization with Bronchial Irritation. (In Pre-tubercular Stages) * * * Use no other lung medicines while using Lung Germine. Read carefully the circular accompanying this bottle * * *”; (carton) “* * * Use no other lung medicine when using Lung Germine. Read carefully the circular accompanying this bottle. * * * Your Lungs Are They Weak or Painful? Do your lungs ever bleed? Do you have night sweats? Are you short of breath? Have you pains in chest and sides? Do you spit yellow and black matter? Do you have pains under your shoulder blades? These Are Regarded Symptoms of Lung Trouble. Do Not Neglect These Symptoms. Keep Lung Germine in your home for immediate use at the first sign of Membraneous Lung Disease or Bronchial Irritation. * * * Treatment For Relief Of Defective Nutrition and for Increasing Strength and General Health where Mucous Membranes are Susceptible to Lung Diseases and Pulmonary Disorganization with Bronchial Irritation (In Pre-tubercular Stages) * * *.”

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sulphuric acid, alcohol, and water, with small amounts of material derived from cod liver oil, iron sulphate, and spices.

Misbranding of the article was alleged in the libel for the reason that the package failed to bear a statement on the label of the quantity or proportion of alcohol contained therein. Misbranding of the article was alleged for the further reason that the above-quoted statements appearing in the labeling, regarding the curative and therapeutic effects thereof, and other similar statements appearing in the booklet which accompanied the article were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On July 20, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9970. Misbranding of cottonseed cake. U. S. * * * v. Sherman Oil Mill, a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 11339. I. S. No. 2069-r.)

On March 30, 1920, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Sherman Oil Mill, a corporation, Sherman, Tex., alleging shipment by said company, on or about December 17, 1918, in violation of the Food and Drugs Act, as amended, from the State of Texas into the State of Colorado, of a quantity of unlabeled cottonseed cake which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 16, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9971. Misbranding of Hall's Texas Wonder. U. S. * * * v. 6 Dozen Bottles * * * of Hall's Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12926. I. S. No. 9958-r. S. No. C-1991.)

On June 18, 1920, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen bottles of Hall's Texas Wonder, remaining in the original packages at Quincy, Ill., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., June 11, 1920, and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) " * * * A Remedy For Kidney and Bladder Troubles. Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children"; (circular) " * * * In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, an oil similar to turpentine oil, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effect thereof were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On October 10, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9972. Misbranding of Dr. Burkhardt's vegetable compound. U. S. * * * v. 24 Dozen * * *, 5 Dozen * * *, and 1½ Dozen * * * Cartons of * * * Dr. Burkhardt's Vegetable Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13049. I. S. No. 10003-t. S. No. W-634.)

On July 16, 1921, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 dozen small, 5 dozen medium, and 1½ dozen large cartons of Dr. Burkhardt's vegetable compound, remaining unsold in the original un-

broken packages at Los Angeles, Calif., alleging that the article had been shipped by Dr. W. S. Burkhart, Cincinnati, Ohio, in part on April 19, 1920, and in part on June 30, 1920, and transported from the State of Ohio into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of aloes, podophyllum, and capsicum, in sugar-coated tablets.

Misbranding of the article was alleged in substance in the libel for the reason that the following curative and therapeutic effects were claimed on the cartons containing the said article, (small and medium sizes) " * * * Recommended for Kidney and Liver Disease, Fever and Ague, Rheumatism, Sick and Nervous Headache, Erysipelas, Scrofula, Female Complaints, Catarrh, Indigestion, Neuralgia, Nervous Affection, Dyspepsia * * * and all Syphilitic Diseases * * *," (large size) " * * * Recommended for Blood Diseases, such as Rheumatism, Kidney and Liver Diseases, Fever and Ague, Sick and Nervous Headache, Erysipelas, Scrofula, Female Complaints, Catarrh * * * Indigestion, Neuralgia, Nervous Affection, Dyspepsia. * * *," which statements regarding the said article were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed.

On August 17, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be disposed of according to law. The product was destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9973. Misbranding of cottonseed cake. U. S. * * * v. W. Preston Battle (W. P. Battle & Co.). Plea of nolo contendere. Fine, \$25 and costs. (F. & D. No. 13173. I. S. No. 12042-r.)

On October 30, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against W. Preston Battle, trading as W. P. Battle & Co., Memphis, Tenn., alleging shipment by said defendant, on or about February 24, 1919, in violation of the Food and Drugs Act, as amended, from the State of Tennessee into the State of Kansas, of a quantity of unlabeled cottonseed cake which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 11, 1921, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$25 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9974. Misbranding of Gold Medal compound pennyroyal pills. U. S. * * * v. 12 Packages of * * * Gold Medal Compound Pennyroyal Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13505. I. S. No. 10036-t. S. No. W-713.)

On September 1, 1920, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 packages of Gold Medal compound pennyroyal pills, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the S. Pfeiffer Mfg. Co., St. Louis, Mo., on or about

August 2, 1920, and transported from the State of Missouri into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of pennyroyal oil, aloin, laxative plant extract, and iron sulphate, coated with a mixture of sugar and calcium carbonate.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing in the circulars accompanying the same, " * * * in cases of suppressed menstruation. To Prevent Irregularities. Take * * * four or five days before the expected appearance of the menstrual period. For Painful Menstruation or Dysmenorrhoea. These excruciating pains which some go through each month, can be avoided to a great extent by taking Gold Medal Pills the same as prescribed for suppression. We recommend these Pills as a Most Effectual Emmenagogue * * *," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in the said statements.

On August 17, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be disposed of according to law. The product was destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9975. Misbranding of Egyptian regulator tea. U. S. * * * v. 20 Dozen, 8 Dozen, and 2 Dozen Packages * * * of * * * Egyptian Regulator Tea. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14440. I. S. No. 10421-t. S. No. W-871.)

On February 11, 1921, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 dozen small, 8 dozen medium, and 2 dozen large sized packages of Egyptian regulator tea, remaining in the original unbroken packages at Los Angeles, Calif., consigned by the Kells Co., Newburgh, N. Y., alleging that the article had been shipped on or about November 25, 1919, and August 2, 1920, respectively, and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a mixture of senna, coriander, dog grass, licorice root, ginger, cinnamon, sambucus, and dandelion root.

Misbranding of the article was alleged in substance in the libel for the reason that the circulars accompanying the said article bore the following statements, (white circular, all sizes) "Egyptian Regulator Tea * * * A Speedy and Positive relief for Dyspepsia, Liver Complaint, Sick Headache, Nervousness. * * * Nature's Own Gift To Dyspeptic, Debilitated Men, to Wornout, Nervous Women, to Mothers of Peevish and Sickly Children, to Girls Just Budding into Womanhood, to Sufferers from Defective Nutrition and Blood Diseases, to Corpulent People, whether Male or Female, Old or Young. * * * Rheumatism, Neuralgia, Sick Headache, pains in all parts of the body, Running Sores, Pimples, Boils, Carbuncles and Skin Diseases. * * * Lung Trouble and Consumption. Premature Old Age, Lack of Youthful Energy, Beauty and Vigor, Sallow Complexion and Haggard, Careworn Look * * * diabetes, * * * Malaria * * * killing the Disease Germs, * * * Heart Troubles, Paralysis, Rheumatism, Gout, * * * apoplexy * * *," (blue wrap-

per, small and medium sizes) "Egyptian Regulator Tea A Remedy For * * * Dyspepsia, Sick Headache, and all Disorders of the Stomach. Its daily use will Purify the Blood, Remove all Blotches from the Face * * *," (blue wrapper, large size) "Egyptian * * * Tea An Excellent Remedy For * * * Dyspepsia * * * Rheumatism, Nervousness, Liver Complaints, * * *," which were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On August 17, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be disposed of according to law. The product was destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9976. Misbranding of cottonseed meal. U. S. * * * v. United Oil Mills, a Corporation. Plea of guilty. Fine, \$75 and costs. (F. & D. No. 14564. I. S. No. 9242-r.)

On July 12, 1921, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the United Oil Mills, a corporation, Arkadelphia, Ark., alleging shipment by said company, on or about January 21, 1920, in violation of the Food and Drugs Act, as amended, from the State of Arkansas into the State of Illinois, of a quantity of cottonseed meal which was misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained 37.8 per cent of protein and 15.03 per cent of crude fiber in the samples examined. Examination of 40 sacks of the article by said bureau showed an average net weight of 97.3 pounds.

Misbranding of the article was alleged in the information for the reason that the statements on the tags attached to the sacks containing the article, concerning the contents and ingredients thereof, to wit, "Guaranteed Analysis Protein 41% * * * Crude Fibre (Maximum) 10%," were false and misleading and deceived and misled the purchaser thereof, since the said article contained less protein than 41 per cent and more fiber than 10 per cent; and for the further reason that the statement, to wit, "100 Lbs. Gross—99 Lbs. Net," labeled, marked, and branded on the tags attached to the said sacks, was false and misleading and the said sacks were so labeled as to deceive and mislead the purchaser into the belief that they contained 99 pounds net of the said article, whereas, in truth and in fact, the said sacks did not contain an average of 99 pounds net of the said article. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the weight declared was not a correct statement of the quantity of the food contained therein.

On September 29, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$75 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9977. Misbranding of Simmons' cough sirup. U. S. * * * v. 3 Dozen and 6 Dozen Bottles of * * * Simmons' Cough Sirup. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14632, 14633. Inv. Nos. 22289, 22291, 22292. S. Nos. W-885, W-886.)

On or about March 15, 1921, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the

seizure and condemnation of 3 dozen bottles and 6 dozen bottles of Simmons' cough sirup, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the A. B. Richards Medicine Co., Sherman, Tex., February 26, 1920, and January 18, 1921, respectively, and transported from the State of Texas into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of ammonium chlorid, glycerin, chloroform, vegetable extracts, alcohol, sugar, and water, flavored with anise oil.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements appearing in the labeling thereof, (on a portion of the bottles) " * * * For Consumption and Bronchial Troubles of the Throat, Chest and Lungs. * * *," (Spanish) " * * * For consumption, pneumonia and all bronchial affections of the chest and of the throat. * * *," (on remainder of the bottles) "For * * * Whooping Cough, Influenza and Bronchial Affections * * *," (Spanish) "For whooping cough, influenza, sore throat and all bronchial affections," (on a portion of the cartons) " * * * For The Relief of * * * Whooping Cough Influenza Hoarseness And Sore Throat Asthma Bronchitis And Bronchial Affections * * *," (on remainder of the cartons) " * * * Bronchial Affections Of The Throat, Chest & Lungs. * * *," (German) " * * * Phthisis, Bronchial Affections of the Throat, Chest and Lungs. * * *," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in said statements.

On August 17, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be disposed of according to law. The product was destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9978. Misbranding of DuBois Pefic pills. U. S. * * * v. 3 Dozen and 2 Dozen Boxes of * * * DuBois Pefic Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14679, 14680. I. S. Nos. 10701-t, 10425-t. S. Nos. W-896, W-897.)

On March 24, 1921, the United States attorney for the Southern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 3 dozen and 2 dozen boxes of DuBois Pefic pills, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by W. J. Baumgartner, Detroit, Mich., on or about February 3 and 23, 1921, respectively, and transported from the State of Michigan into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills contained aloes and iron sulphate, with a coating of sugar and calcium carbonate.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements appearing in the circular accompanying the said article, to wit, "DuBois Pills * * * Reliable Female Tonic and Regulator * * * a female tonic and regulator of menstrual disturbances and for relieving general female disorders. Needless pain and suffering may be prevented by the use of DuBois Pills * * * a female tonic exerting help-

ful medicinal action over the female organs. * * * of utmost value in assisting in the relieving of pain, due to leucorrhœa, etc., and regulating the menses. * * * suppressed menstruation, painful menstruation, * * *. For leucorrhœa * * *. In cases of menstrual disturbances the course of treatment may be commenced at any time when the indications suggest that the menstrual period is delayed due to taking cold or exposure. * * * When the period is irregular * * *,” were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in the said statements.

On August 17, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be disposed of according to law. The product was destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9979. Adulteration of catsup. U. S. * * * v. 150 Cases of Polk's Best Catsup. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 14704. I. S. No. 13062-t. S. No. C-2960.)

On April 5, 1921, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 150 cases of Polk's Best catsup, remaining in the original unbroken packages at Memphis, Tenn., alleging that the article had been shipped by the J. T. Polk Co., from Mound City, Ill., on or about December 23, 1920, and transported from the State of Illinois into the State of Tennessee, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Polk's Best Catsup" (design of whole red tomatoes) "J. T. Polk Co., Chicago, Ill."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed vegetable substance.

On November 18, 1921, the Sears and Nichols Canning Co., Chillicothe, Ohio, claimant, having admitted that the property was subject to seizure and confiscation for the reasons set forth in the libel and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act, conditioned in part that the sound and wholesome portion thereof be segregated from the decomposed and unsound portion, under the supervision of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9980. Misbranding of cottonseed meal. U. S. * * * v. 200 Sacks of Cottonseed Meal. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 463-c.)

On July 2, 1919, the United States attorney for the District of Maine, acting upon a report by the Chief of the Bureau of Inspection of the Department of Agriculture of the State of Maine, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 sacks of cottonseed meal, remaining unsold in the original unbroken packages at Portland, Me., alleging that the article had been shipped on or about June 4, 1919, and transported from the State of Georgia into the State of Maine, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Good Cotton Seed Meal, Manufactured for W. D. Hall Company, dealers, Atlanta, Ga."

Misbranding of the article was alleged in substance in the libel for the reason that the statement on the label, "Protein 36.00%," was false and misleading in that the article did not contain 36 per cent of protein, but contained an amount of protein materially less than 36 per cent.

On July 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and the product was ordered sold by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9981. Adulteration and misbranding of peanut feed. U. S. * * * v. 200 Sacks of Peanut Feed, et al. Decrees permitting release of product under bond. (F. & D. Nos. 602-c, 603-c, 604-c, 605-c.)

On or about June 8, 1920, the United States attorney for the Southern District of Florida, acting upon reports by the State chemist, Department of Agriculture of Florida, filed in the District Court of the United States for said district libels for the seizure and condemnation of 900 sacks of peanut feed, at Tampa, Fla., consigned by the Camilla Cotton Oil Co., Camilla, Ga., alleging that the article had been shipped from Camilla, Ga., on or about April 1 [23], 1920, and transported from the State of Georgia into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, (tag) "100 Pounds Peanut Feed * * * Manufactured by Camilla Cotton Oil Co., Camilla, Ga. * * *."

Adulteration of the article was alleged in the libels for the reason that peanut hulls had been mixed and packed with, and substituted wholly or in part for, the said article.

Misbranding was alleged for the reason that certain statements appearing in the labeling, to wit, "Protein and Fat 30 per cent; Sugar and Starch 22.00 per cent; Fibre 27.00 per cent," were false and misleading and deceived and misled the purchasers, since the said product contained less protein and fat, less sugar and starch, and more fiber than declared on said labeling.

On July 20, 1920, the E. E. Freeman Co., the R. E. Householder Co., the Consolidated Grocery Co., and the Cumberland & Liberty Mills Co., respectively, of Tampa, Fla., having entered appearances as claimants for the property, judgments of the court were entered ordering the release of the product to the said claimants upon payment of the costs of the proceedings and the execution of good and sufficient bonds, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9982. Adulteration and misbranding of Pulaski mill feed. U. S. * * * v. Cunningham Commission Co., a Corporation. Plea of guilty. Judgment in the sum of \$65.20. (F. & D. No. 9196. I. S. No. 15476-p.)

On December 3, 1918, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Cunningham Commission Co., a corporation, Little Rock, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about June 17, 1917, from the State of Arkansas into the State of Mississippi, of a quantity of Pulaski mill feed which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 12.19 per cent of crude protein and 14.24 per cent of crude fiber. Examination of a sample by said bureau showed that it contained wheat starch, wheat bran, rice starch, rice bran, a considerable amount of rice hulls, and a trace of cornstarch, with no corn bran present.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, rice hulls, had been substituted in part for a product composed of wheat bran, wheat shorts, rice bran, rice polish, and corn bran, which the article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, corn bran, had been wholly abstracted.

Misbranding was alleged for the reason that the statements, to wit, "Guaranteed Analysis: Crude Protein 13.00% * * * Crude Fiber 11.00% * * * Ingredients: Wheat Bran, Wheat Shorts, Rice Bran, Rice Polish, Corn Bran," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the said article contained not less than 13 per cent of crude protein and not more than 11 per cent of crude fiber, and that it was composed exclusively of wheat bran, wheat shorts, rice bran, rice polish, and corn bran, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 13 per cent of crude protein and not more than 11 per cent of crude fiber, and that it was composed exclusively of wheat bran, wheat shorts, rice bran, rice polish, and corn bran, whereas, in truth and in fact, it did contain less than 13 per cent of crude protein, to wit, 12.19 per cent of crude protein, and did contain more than 11 per cent of crude fiber, to wit, 14.24 per cent of crude fiber, and the said article was not composed exclusively of wheat bran, wheat shorts, rice bran, rice polish, and corn bran, but was composed in part of rice hulls and contained no corn bran.

On January 6, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court entered a judgment in the sum of \$65.20.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9983. Misbranding of Dr. David Roberts hog tonic. U. S. * * * v. Dr. David Roberts Veterinary Co., a Corporation. Plea of guilty. Fine, \$10. (F. & D. No. 10890. I. S. No. 5909-r.)

On June 16, 1921, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Dr. David Roberts Veterinary Co., a corporation, Waukesha, Wis., alleging shipment by said company, on or about April 6, 1918, in violation of the Food and Drugs Act, as amended, from the State of Wisconsin into the State of Missouri, of a quantity of Dr. David Roberts hog tonic which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of starch, charcoal, anise, fenugreek, and other plant material, iron sulphate, and potassium nitrate.

Misbranding of the article was alleged in substance in the information for the reason that the statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the cans containing the said article, falsely and fraudulently represented it to be effective as a preventive for hog cholera and other diseases of hogs and effective to rid hogs of worms, when, in truth and in fact, it was not.

On June 30, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9984. Misbranding of Oculum Oil. U. S. * * * v. 12 Dozen Bottles of Oculum Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12574. I. S. No. 18651-r. S. No. E-2060.)

On April 30, 1920, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 dozen bottles of Oculum Oil, at Lumberton, N. C., alleging that the article had been shipped by the Hancock Inoculum Co. (Inc.), a corporation, Salem, Va., on or about March 20, 1920, and transported from the State of Virginia into the State of North Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "'Oculum Oil' * * * Remedy And Preventive For Hog Cholera * * *"; (circular) "Oculum Oil * * * Will Knock The Cholera * * * If a hog has the Cholera, feed 15 drops * * * and inoculate the hog by injecting 'Oculum Oil' * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of oil of turpentine with a small amount of oil of amber and an orange coloring.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the labeling were false and fraudulent, and the said statements were made for the purpose of deception and in reckless disregard of their truth or falsity so as to represent falsely to purchasers thereof that the article was fit for the purposes for which it was recommended, when, in truth and in fact, it contained no ingredient or combination of ingredients capable of producing the effect claimed.

On April 29, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9985. Misbranding of Dr. Hobbs' nerve pills. U. S. * * * v. One Gross * * * Dr. Hobbs' Nerve Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13619. I. S. No. 10027-t. S. No. W-653.)

On September 8, 1920, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of one gross packages of drugs labeled in part, "Dr. Hobbs' Nerve Pills," remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Hobbs Spanish American Medicine Co., Chicago, Ill., on or about November 6, 1919, and transported from the State of Illinois into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of powdered iron, quinine, licorice, starch, and traces of arsenic and strychnine, coated with a mixture of sugar and calcium carbonate.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing in the labels of the boxes containing the said article and in the accompanying wrapper and booklet, to wit, (box) " * * * Blood purifier * * *," (wrapper) " * * * Blood purifier * * * A remedy for neuralgia, nervous headache, * * * palpitation of the heart, trembling, hysteria, nervous ailments of all kinds, * * * backache, female disorders, * * * food for fagged brains," (booklet) " * * * Old-young

and young-old men Require the tonic pills for the nerves. * * * a brain food, imparts vigor to the muscles * * * strengthens the weakened parts. Many suffer secretly as the result of past mistakes * * * realize that with the approach of old age, payment must be made for * * * follies of youth, * * * their capacity has become depleted. To such, Dr. Hobbs' Nerve Tonic Pills are recommended. * * * They cure nervous headache, rheumatism, neuralgia, pimples, eruptions and all other blood disorders. * * * They restore the vital powers, check early decay and rejuvenate those suffering from premature old age. * * * eliminate diseases from the system * * *," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in the said statements.

On August 17, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be disposed of according to law. The product was destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9986. Misbranding of M. I. S. T. No. 2 nerve tonic. U. S. * * * v. 12 Dozen Packages, 20 Packages, and 68 Packages * * * of * * * M. I. S. T. No. 2 Nerve Tonic. Decrees of condemnation and forfeiture. 12 dozen packages and 20 packages destroyed. 68 packages released under bond. (F. & D. Nos. 13813, 13815, 13839. I. S. Nos. 10380-t, 10381-t, 10387-t, 10388-t. S. Nos. W-781, W-782, W-786.)

On October 25, October 28, and November 4, 1920, respectively, the United States attorney for the Southern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 12 dozen packages, 20 packages, and 68 packages of M. I. S. T. No. 2 nerve tonic, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped in part by the Williams Mfg. Co., Cleveland, Ohio, on or about May 28 and July 7, 1920, respectively, and in part by the M. I. S. T. Co., Toledo, Ohio, on or about October 11 and 15, 1920, respectively, and transported from the State of Ohio into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of aloes, calomel, a laxative plant drug, and a small amount of methyl salicylate in gelatin capsules.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements appearing in the labeling of the said article, to wit, (package and wrapper) "M. I. S. T. * * * Nerve * * *," (circular) "For Blood Diseases * * * for Syphilis or Venereal Diseases, Dropsy, Gout, Rheumatism, Tumors, Ulcers, Scrofula, Swellings, Ulcerated Sore Throat, Erysipelas, Cancer or Cancerous Tumors and Inflammation of the Bladder, Stricture and Varicocele * * * for Nervous Diseases * * * M. I. S. T. No. 2 * * * an aid in the treatment of Nervous Diseases * * *," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in the said statements.

On August 17 and 26, 1921, respectively, no claimant having appeared for the 12 dozen packages and the 20 packages of the product, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be disposed of according to law, and it was destroyed by the United States marshal. On August 17, 1921, the M. I. S. T. Co., of Toledo, Ohio,

having entered an appearance as claimant for the 68 packages of the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that it be relabeled in a manner satisfactory to this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9987. Misbranding of Allan's Star Brand pills. U. S. * * * v. Allan's Star Brand Pills. Default decree ordering the destruction of the product. (F. & D. No. 13877. Inv. No. 24118. S. No. C-2580.)

On or about December 4, 1920, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 packages of Allan's Star Brand pills, at Winona, Miss., alleging that the article had been shipped by the Allan-Pfeiffer Chemical Co., St. Louis, Mo., on or about February 15, 1918, and transported from the State of Missouri into the State of Mississippi, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Circular) " * * * A Good Remedy In Suppressed Or Painful Menstruation. * * * to bring on the menses * * * immediately preceding the expected appearance of the menstrual flow * * * treatment should begin * * * Take one Pill * * * Continue this treatment * * * until a satisfactory result is secured. To Prevent Irregularities—Take one Pill * * * four or five days preceding the expected appearance of the menstrual period. For Painful Menstruation—The same treatment prescribed for suppression."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of iron sulphate, aloes, and starch, coated with sugar and calcium carbonate.

It was alleged in substance in the libel that the article was misbranded in that the above-quoted statements appearing in the said circular, regarding the curative and therapeutic effects thereof, were false and fraudulent for the reason that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On June 6, 1921, no claimant having appeared for the property, judgment of the court was entered ordering the destruction of the product by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9988. Adulteration and misbranding of Bee Brand rubbed sage. U. S. * * * v. McCormick & Co., a Corporation. Plea of nolo contendere. Fine, \$10 and costs. (F. & D. No. 14931. I. S. Nos. 8649-t, 8656-t.)

On November 14, 1921, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against McCormick & Co., a corporation, Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 5 and 14, 1920, respectively, from the State of Maryland into the District of Columbia and the State of Virginia, respectively, of quantities of Bee Brand rubbed sage which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it was Greek sage.

Adulteration of the article was alleged in the information for the reason that a substance other than rubbed sage (*Salvia officinalis*), to wit, Greek sage (*Salvia*

triloba), had been substituted in whole or in part for rubbed sage, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Rubbed Sage," borne on the package containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the said article consisted of rubbed sage, a variety of sage known as *Salvia officinalis*, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was rubbed sage, whereas, in truth and in fact, it was not rubbed sage, but was a product composed in whole or in part of Greek sage, a variety of sage known as *Salvia triloba*. Misbranding was alleged for the further reason that the article was a product composed in whole or in part of Greek sage, a variety known as *Salvia triloba*, prepared in imitation of rubbed sage, a variety known as *Salvia officinalis*, and was offered for sale under the distinctive name of another article, to wit, rubbed sage.

On November 14, 1921, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture*.

9989. Adulteration and misbranding of olive oil. U. S. * * * v. 23 Cans of * * * Olive Oil * * *, et al. Default decrees of condemnation, forfeiture, and sale. (F. & D. Nos. 15133, 15230, 15346. I. S. Nos. 8491-t, 8492-t, 8493-t, 8498-t, 8499-t. S. Nos. E-3426, E-3469, E-3472, E-3559.)

On July 13 and 23 and August 25, 1921, respectively, the United States attorney for the District of Maryland, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 66 quart cans, 69 half-gallon cans, and 10 gallon cans of alleged olive oil, consigned between the dates May 4 and June 16, 1921, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Scaduto & Co., New York, N. Y., and transported from the State of New York into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. A portion of the article was labeled in part, (cans) "Fontanella Brand Olio Finissimo * * *." The remainder of the article was labeled in part, (cans) "Pure Olive Oil Sanzio Brand * * *."

Adulteration of the Sanzio Brand was alleged in the libels for the reason that a substance, cottonseed oil, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article, and for the further reason that it was mixed in a manner whereby damage or inferiority was concealed. Adulteration was alleged with respect to a portion of the said Sanzio Brand for the further reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in the said Pharmacopœia, official at the time of investigation.

Misbranding was alleged in substance for the reason that the statement, to wit, "Pure Olive Oil Sanzio Brand * * * This Olive Oil Is Guaranteed To Be Absolutely Pure Under Chemical Analysis And Excellent For Medical And Table Use * * * Half Gallon" or "One Quart," together with similar statements in Italian and the design or device of a cut showing a foreign scene with respect to the Sanzio brand oil, and the statement "One Gallon," with respect to the Fontanella brand oil, borne on the respective labels of the cans

containing the said article, regarding the article or the ingredients and substances contained therein, were false and misleading and deceived and misled the purchaser. Misbranding was alleged with respect to the article involved in all the consignments for the further reason that the said article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package. Misbranding of the Sanzio Brand was alleged for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article. Misbranding was alleged with respect to a portion of the Sanzio Brand for the further reason that it purported to be a foreign product when not so.

On October 1, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be relabeled and sold by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9990. Adulteration and misbranding of cottonseed meal. U. S. * * *
v. Empire Cotton Oil Co., a Corporation. Plea of guilty. Fine,
\$100. (F. & D. No. 9305. I. S. No. 2866-p.)**

On February 18, 1919, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Empire Cotton Oil Co., a corporation, Atlanta, Ga., alleging shipment by said company, on or about January 23, 1918, in violation of the Food and Drugs Act, from the State of Georgia into the State of South Carolina, of a quantity of cottonseed meal which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained approximately 34.1 per cent of protein and approximately 14.48 per cent of crude fiber. Examination of a sample by said bureau showed that it contained at least 30 per cent of cottonseed hulls.

Adulteration of the article was alleged in the information for the reason that cottonseed hulls had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in part for "Cotton Seed Only," which the said article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Guaranteed Analysis Protein 36.00% * * * Fibre 10.00% * * * Ingredients:—Cotton Seed Only," borne on the tags attached to the sacks containing the said article, regarding it and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the article contained not less than 36 per cent of protein and not more than 10 per cent of fiber, and that it was composed wholly of cotton seed, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 36 per cent of protein and not more than 10 per cent of fiber and that it was composed wholly of cotton seed, whereas, in truth and in fact, the said article contained less than 36 per cent of protein and contained more than 10 per cent of fiber, to wit, approximately 34.1 per cent of protein and approximately 14.48 per cent of fiber, and the said product was not composed wholly of cotton seed, but was composed in part of added cottonseed hulls.

On October 18, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9991. Misbranding of cottonseed feed. U. S. * * * v. Kerens Cotton Oil Co., a Corporation. Plea of nolo contendere. Fine, \$25. (F. & D. No. 11139. I. S. No. 5933-r.)

On February 3, 1920, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Kerens Cotton Oil Co., a corporation, Kerens, Tex., alleging shipment by said company, on or about November 30, 1918, in violation of the Food and Drugs Act, from the State of Texas into the State of Kansas, of a quantity of cottonseed feed which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 40.13 per cent of protein.

Misbranding of the article was alleged in the information for the reason that the statement appearing on the tags attached to the sacks containing the said article, to wit, "Protein not less than 41.20 per cent," was false and misleading in that it represented to purchasers thereof that the said article contained not less than 41.20 per cent of protein, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained not less than 41.20 per cent of protein, whereas, in fact and in truth, the said article did contain less than 41.20 per cent of protein.

On June 22, 1921, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9992. Misbranding of Milco mixed feed. U. S. * * * v. Empire Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$100. (F. & D. No. 11799. I. S. No. 16155-r.)

On February 19, 1921, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Empire Cotton Oil Co., a corporation, Atlanta, Ga., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 28, 1918, from the State of Georgia into the State of South Carolina, of a quantity of Milco mixed feed which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 3.0 per cent of crude fat, 26.6 per cent of crude fiber, 18.1 per cent of crude protein, 2.9 per cent of nitrogen, and 3.5 per cent of ammonia.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Guaranteed Analysis Nitrogen 3.20%, Equivalent to Ammonia 3.90% Protein 20.00% Fat 4.00% Fibre 22.00%," attached to the sacks containing the said article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the said article contained 3.20 per cent of nitrogen, equivalent to ammonia 3.90 per cent, not less than 20 per cent of protein, not less than 4 per cent of fat, and not more than 22 per cent of fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained 3.20 per cent of nitrogen, equivalent to ammonia 3.90 per cent, not less than 20 per cent of protein, not less than 4 per cent of fat, and not more than 22 per cent of fiber, whereas, in truth and in fact, the said article did contain less than 3.20 per cent of nitrogen equivalent to ammonia 3.90 per cent, less than 20 per cent of protein, less than 4 per cent of fat, and more than 22 per cent of fiber.

On October 18, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9993. Adulteration and misbranding of Port Hot, Konyak, red grape, and orange beverages. U. S. * * * v. 3 Kegs of Port Hot, 2 Kegs of Konyak, 1 Keg of Red Grape, and 1 Keg of Orange. Default decree finding product to be adulterated and misbranded and ordering its destruction. (F. & D. Nos. 14242, 14243, 14244, 14245, 14246, 14247. Inv. Nos. 27373, 27374, 27375, 27401, 27402, 27403, 27404. S. Nos. C-2700, C-2701, C-2703, C-2709, C-2710, C-2711.)

On January 28, 1921, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 kegs of Port Hot, 2 kegs of Konyak, 1 keg of red grape, and 1 keg of orange beverages, at Paris and Ratcliff, Ark., respectively, alleging that the articles had been shipped by the Arlette Fruit Products Co., St. Louis, Mo., on or about December 3, 1920, and transported from the State of Missouri into the State of Arkansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part, (keg) "Port Hot," "Konyak," "Red Grape," and "Orange Flavor," respectively. The articles with the exception of the "Red Grape" were further labeled in part, "* * * The contents of this package guaranteed to comply with all laws * * *."

Adulteration of the articles was alleged in substance in the libel for the reason that an artificially colored beverage preserved with benzoate of soda had been mixed and packed with and substituted for the said articles, and for the further reason that they contained a poisonous and deleterious ingredient (saccharin), which rendered them injurious to health.

Misbranding of the articles was alleged in substance in the libel for the reason that the above-quoted statements contained on the labels were untrue.

On August 11, 1921, no claimant having appeared for the property, judgment of the court was entered finding the products to be adulterated and misbranded and ordering their destruction by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9994. Misbranding of cottonseed cake. U. S. * * * v. Houston County Oil Mill & Mfg. Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 14337. I. S. No. 18814-r.)

On March 15, 1921, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Houston County Oil Mill & Mfg. Co., a corporation, Crockett, Tex., alleging shipment by said company, on or about January 5, 1920, in violation of the Food and Drugs Act, as amended, from the State of Texas into the State of Arkansas, of a quantity of unlabeled cottonseed cake which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 25, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9995. Adulteration of tomato purée. U. S. * * * v. 9 Cases of * * * Tomato Purée. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14577. I. S. No. 3142-t. S. No. C-2829.)

On March 2, 1921, the United States attorney for the Eastern District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the

seizure and condemnation of 9 cases of tomato purée, remaining unsold in the original packages at Frankfort, Ky., consigned by the Morgan Packing Co., Austin, Ind., September 16, 1920, alleging that the article had been shipped from Austin, Ind., and transported from the State of Indiana into the State of Kentucky, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Scott Co. Brand Tomato Puree. * * * Morgan Packing Co. Austin, Ind."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On September 26, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9996. Adulteration and misbranding of chocolate coating. U. S. * * * v. 20 Cases and 96 Cases of Alleged Chocolate Coating. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 14971, 14971-a, 15037, 15038. I. S. No. 10760-t. S. No. W-957.)

On June 3 and 15, 1921, respectively, the United States attorney for the District of Colorado, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 20 cases and 96 cases of alleged chocolate coating, remaining unsold in the original unbroken packages at Denver, Colo., consigned by the Boldemann Chocolate Co., San Francisco, Calif., alleging that the article had been shipped from San Francisco, Calif., on or about the respective dates June 4, August 4, and October 28, 1920, and transported from the State of California into the State of Colorado, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Boldemann's Sweet Coating Coaxer Made by Boldemann Chocolate Company, San Francisco, Calif."

Adulteration of the article was alleged in the libels for the reason that excessive cocoa shells had been mixed and packed with, and substituted in part for, the said article, and for the further reason that the article was mixed in a manner whereby inferiority was concealed.

Misbranding was alleged in substance for the reason that the statement "Sweet Coating" was false and misleading and deceived and misled the purchaser when applied to an imitation sweet chocolate containing excessive cocoa shells. Misbranding was alleged for the further reason that the article was an imitation of, and offered for sale under the distinctive name of, another article.

On July 27, 1921, the W. C. Nevin Candy Co., Denver, Colo., having entered an appearance as claimant for a portion of the property, and the Boldemann Chocolate Co., San Francisco, Calif., having entered an appearance as claimant for the remainder thereof, and the claimants having admitted the allegations of the libels and consented to decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to said claimants upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$2,000, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9997. Misbranding of Lung Germine. U. S. * * * v. 8 Bottles and 12 Bottles * * * of Lung Germine. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 15161, 15162. I. S. Nos. 1032-t, 1033-t. S. Nos. C-3114, C-3115.)

On or about July 20, 1921, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 20 bottles of Lung Germine, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Lung Germine Co., Jackson, Mich., on or about March 2 and May 25, 1921, respectively, and transported from the State of Michigan into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Lung Germine Contains 10% Alcohol * * *"; (bottle and carton) "Treatment For Relief Of Defective Nutrition and for Increasing Strength and General Health where Mucous Membranes are Susceptible to Lung Disease and Pulmonary Disorganization with Bronchial Irritation. (In Pre-tubercular Stages) * * *"; (carton) "* * * Your Lungs Are They Weak or Painful? Do your lungs ever bleed? Do you have night sweats? Are you short of breath? Have you pains in chest and sides? Do you spit yellow and black matter? Do you have pains under your shoulder blades? These Are Regarded Symptoms of Lung Trouble. Do Not Neglect These Symptoms. Keep Lung Germine in your home ready for immediate use at the first sign of Membraneous Lung Disease or Bronchial Irritation. * * *"; (booklet) (in English) "* * * In recommending Lung Germine to the world of sufferers from incipient mucous membrane affection of the lungs, and bronchial irritation, we do so with the fullest confidence. * * * the remarkable results it has accomplished * * * excessive coughs for months * * * splendid results * * * weak membranes of the lungs and * * * nearly always suffering from a severe cough and weakness, * * * Lung Germine relieved the trouble. * * * before taking Lung Germine their lungs had been * * * affected, and that after using * * * their lungs were * * * found to be relieved. * * * recommended for lung and bronchial troubles, * * * We recommend Lung Germine for alleviating the cough, increasing the strength and general health in such conditions of cellular hyperplasia, affecting the mucous membranes of the air passages with the consequent risk of a multiplication of cells, filling up a greater or less number of the air vesicles of the lungs; generally those of the apex, and then, consumption, or malignant attacks of the lungs and bronchial tract results. * * * It is, therefore, of vital importance that sufferers take the treatment Lung Germine, which has a decided influence upon the general condition of the system, alleviating the cough and night sweats, aiding expectoration, increasing the strength and general health of the sufferer, and often retarding, if not arresting, the pulmonary disorganization. Lung Germine contains * * * only such ingredients as are of recognized therapeutic value for the treatment of the conditions as outlined. One of the ingredients * * * is recognized * * * as a nutrient of inestimable influence during phthisis, * * * it does more good than all other remedies of the Pharmacopoeia * * * combined. * * * has been proven beyond question to possess a remarkable beneficial influence; it has produced splendid results * * * relieving defective nutrition, with its consequent pallor, anemia, night sweats, excessive coughing and expectoration of germ-laden mucous from the affected parts * * * the coughing will become less and less and a general improvement may be confidently expected. * * * the long record of extraordinary instances of relief which Lung Germine has

produced should encourage every sufferer from incipient membranous lung disease * * * no such sufferer should feel in the least discouraged about his or her condition, if Lung Germine has yet to be tried. * * * If you are suffering from lung * * * trouble that has not passed the incipient stage * * * you are using the best medicine known for such afflictions when you use Lung Germine. * * * consumption * * * What To Do For Persistent Night Sweats Night sweats are a commonly recognized symptom of tuberculosis * * * Consumption * * * tuberculosis * * * tubercle bacilli * * * germs of tuberculosis * * *," (other languages) "Lung Germine for chronic lung * * * affections * * * Lung Germine for chronic lung or bronchial diseases * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sulphuric acid, alcohol, and water, with small amounts of material derived from cod liver oil, iron sulphate, and spices.

Misbranding of the article was alleged in substance in the libels for the reason that the above-quoted statements appearing in the labels and printing on the bottles and cartons and in the accompanying booklets, regarding the curative and therapeutic effects of the said article, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in the said statements.

On September 17, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9998. Adulteration and misbranding of olive oil and salad oil. U. S. * * * v. 36 One-Gallon Cans of a Product Purporting to be Olive Oil and 44 One-Gallon Cans of Alleged Salad Oil. Default decrees of condemnation and forfeiture. Products delivered to the Salvation Army for consumption and not for sale. (F. & D. Nos. 15275, 15291. I. S. Nos. 6237-t, 15411-t. S. Nos. E-3491, E-3518.)

On July 28 and August 1, 1921, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 36 one-gallon cans of a product purporting to be olive oil and 44 one-gallon cans of alleged salad or vegetable oil, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the articles had been shipped by the Littauer Oil Co., Guttenberg, N. J., on or about July 6 and June 17, 1921, respectively, and transported from the State of New Jersey into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the articles was alleged in the libels for the reason that cottonseed oil had been mixed and packed with, and substituted in part for, the said articles, and for the further reason that they were mixed in a manner whereby inferiority was concealed.

Misbranding was alleged in substance for the reason that the statements, to wit, " * * * Olivolo * * * Olio per Insalata Come L'Olio D'Oliiva * * * A Pure Salad Oil Blended With Olive Oil * * * Il Olivolo 'Olio' Viene Estratto Da Vegetali Di Prima Qualita Con Metodi Perfezionati E'Iginici E'Perfettamente * * * E'Salutifero Per Eccellenza * * * La Marca * * * Olivolo * * * Il Olivolo 'Olii' * * *," together with the design and device consisting of a draped flag, in regard to the Olivolo brand oil, and the statement, to wit, "Blended with Pure Olive Oil * * * One Gallon,"

in regard to the Joan of Arc brand oil, borne on the respective labels of the cans containing the articles, regarding them and the ingredients and substances contained therein, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the said articles were imitations of, and were offered for sale under the distinctive names of, other articles. Misbranding was alleged with respect to the Olivolo brand oil for the further reason that it purported to be a foreign product when it was not. Misbranding was alleged with respect to the Joan of Arc brand oil for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 2, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the labels be obliterated from the respective products and that they be delivered to the Salvation Army at their headquarters in New York, N. Y., for consumption and not for sale.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9999. Adulteration and misbranding of table oil. U. S. * * * v. 37 Cans of * * * Table Oil * * *. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 15295. I. S. No. 8497-t. S. No. E-3525.)

On August 2, 1921, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 37 cans of table oil, consigned on or about July 2, 1921, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Gamanos & Booskos, New York, N. Y., and transported from the State of New York into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that cottonseed and other oils had been mixed and packed with, and substituted wholly or in part for, the said article, and for the further reason that it was mixed in a manner whereby its inferiority was concealed.

Misbranding was alleged in substance for the reason that the following statement appeared on the label of the can containing the said article, to wit, "Finest Quality Table Oil * * * Termini Imerese * * * Net Contents One Gallon," together with the design or device showing natives gathering olives from an olive tree. Misbranding was alleged for the further reason that the article purported to be a foreign product when not so; for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article; and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 1, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be relabeled and sold by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10000. Misbranding of green peas. U. S. * * * v. Buffalo Vegetable Marketing Co., a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 14543. I. S. No. 3632-t.)

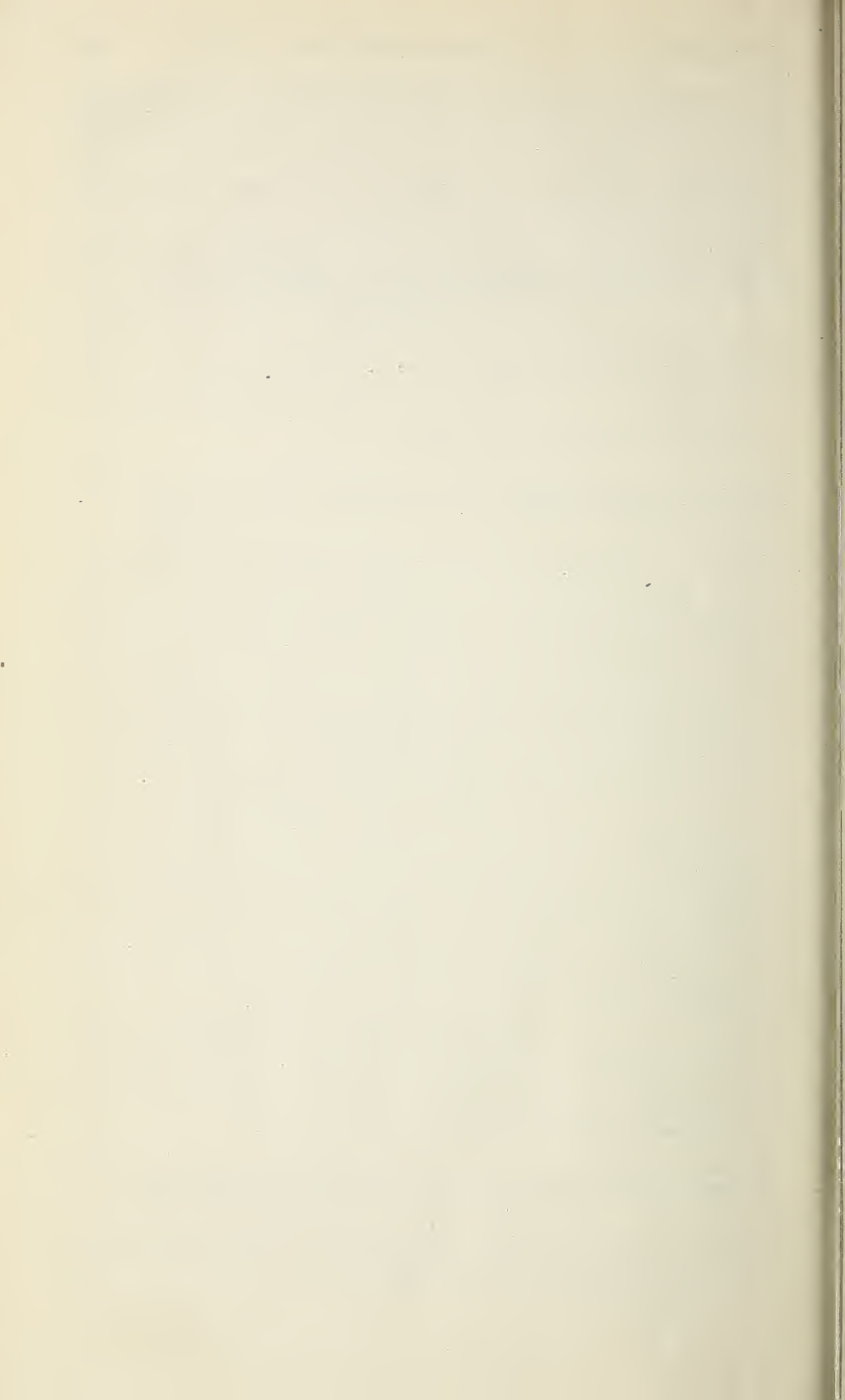
On July 12, 1921, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the

Buffalo Vegetable Marketing Co., a corporation, Buffalo, N. Y., alleging shipment by said company, on or about July 16, 1920, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Missouri, of a quantity of green peas which were misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 25, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*



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feed. <i>See</i> Feed.		Hobo Medicine Mfg. Co.	9952
meal. <i>See</i> Feed.		Konyak beverage:	
oil. <i>See</i> Oil.		Arlette Fruit Products Co.	9993
Cough sirup:		Lung Germine:	
Richards, A. B., Medicine		Lung Germine Co.	9958,
Co.	9977		9969, 9997
DuBois Pacific pills:		Rox Chemical Co.	9958
Baumgartner, W. J.	9967, 9978	M. I. S. T. No. 2 nerve tonic:	
Egyptian regulator tea:		M. I. S. T. Co.	9986
Kells Co.	9975	Williams Mfg. Co.	9986
Emmenagogue pills:		Nerve pills:	
Allan-Pfeiffer Chemical Co.	9987	Hobbs Spanish American	
Federal stock conditioner:		Medicine Co.	9985
Federal Stock Food Co.	9961	tonic:	
Feed, barley:		M. I. S. T. Co.	9986
Culbert Milling Co.	9956	Williams Mfg. Co.	9986
cottonseed:		Oculum oil:	
Kerens Cotton Oil Co.	9991	Hancock Inoculum Co.	9984
cottonseed cake:		Oil, olive:	
Battle, W. P., & Co.	9973	Gamanos & Booskos.	9999
Houston County Oil Mill &		Littauer Oil Co.	9998
Mfg. Co.	9994	Scaduto & Co.	9989
Sherman Oil Mill.	9970	Virgona Co.	9959
cottonseed meal:		vegetable:	
_____	9980	Littauer Oil Co.	9998
Buckeye Cotton Oil Co.	9955	Olive oil. <i>See</i> Oil.	
Empire Cotton Oil Co.	9990	Orange beverage:	
Southern Cotton Oil Co.	9953	Arlette Fruit Products Co.	9993
United Oil Mills.	9976	Peanut feed. <i>See</i> Feed.	
mixed:		Peas, green:	
Cunningham Commission		Buffalo Vegetable Market-	
Co.	9982	ing Co.	10000
Dyersburg Milling Co.	9968	Pacific pills:	
Empire Cotton Oil Co.	9992	Baumgartner, W. J.	9967, 9978
peanut:		Pennyroyal pills:	
Camilla Cotton Oil Co.	9981	Pfeiffer, S., Mfg. Co.	9974

Port hot beverage:	N. J. No.	Sugar:	N. J. No.
Arlette Fruit Products Co.	9993	Cranston, Murray, Corp---	9965
Purée. <i>See</i> Tomato purée.		Tea, regulator:	
Raisins:		Kells Co-----	9975
Raucci, A. & S., Co-----	9951	Texas Wonder:	
Regulator tea. <i>See</i> Tea.		Hall, E. W-----	9968, 9971
Roberts, Dr., hog tonic:		Tomato catsup:	
Roberts, Dr. David, Veteri-		Polk, J. T., Co-----	9979
nary Co-----	9983	purée:	
Rubbed sage. <i>See</i> Sage.		Morgan Packing Co-----	9995
Rye:		Vegetable compound tablets:	
Stuart Grain Co-----	9960	Burkhart, Dr. W. S-----	9972
Sage, rubbed:		oil. <i>See</i> Oil.	
McCormick & Co-----	9988	Water, spring:	
Simmons' cough sirup:		Capon Springs Co-----	9957
Richards, A. B., Medicine		Wendell's pills:	
Co-----	9977	Wendell Pharmacal Co----	9954
Stock conditioner. <i>See</i> Conditioner.			

